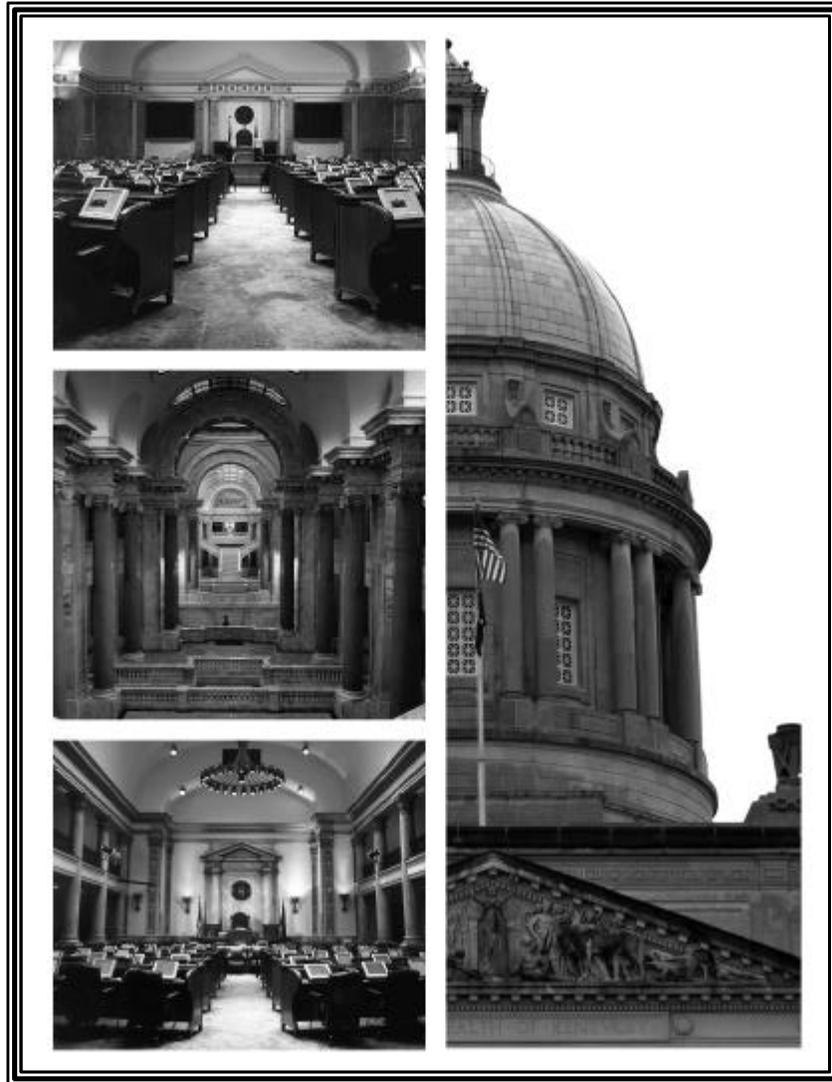


GENERAL ASSEMBLY ACTION

Regular Session 2002



Informational Bulletin No. 207

Legislative Research Commission

Frankfort, Kentucky

GENERAL ASSEMBLY ACTION

Regular Session 2002

A Staff Summary of Legislative Enactments

Informational Bulletin No. 207

Legislative Research Commission
Frankfort, Kentucky
April 2002

This report was prepared by the Legislative Research Commission and paid for from state funds.

FOREWORD

The 2002 Regular Session of the General Assembly convened Tuesday, January 8, 2002, and adjourned sine die Monday, April 15, 2002, having met for sixty legislative days. During this session, 1169 bills and 567 resolutions were introduced, including 294 Senate bills and 875 House bills.

Of the bills introduced, 82 Senate bills and 231 House bills passed both chambers and were delivered to the Governor. One bill proposing a constitutional amendment was enacted and transmitted directly to the Secretary of State. Therefore, a total of 83 Senate bills and 231 House bills became law.

The Governor also received 56 joint and concurrent resolutions.

This informational bulletin summarizes the bills and resolutions which were delivered to the Governor and the Secretary of State. It has been prepared by the staff of the Legislative Research Commission.

ROBERT SHERMAN
Director

The Capitol
Frankfort, Kentucky
April 2002

2002 REGULAR SESSION

BILL NUMBERS TO ACTS CHAPTER

Bill No.	Acts Ch.						
SB 4	94	SB 178	109	HB 36	34	HB 196	127
SB 7	56	SB 179	198	HB 39	199	HB 199	18
SB 11	260	SB 184	274	HB 43	33	HB 202	279
SB 13	344	SB 185	286	HB 45	121	HB 207	55
SB 14	95	SB 187	110	HB 47	21	HB 218	233
SB 18	64	SB 192	288	HB 52	174	HB 231	43
SB 25	259	SB 193	361	HB 55	152	HB 232	205
SB 26	120	SB 195	178	HB 56	138	HB 243	234
SB 36	96	SB 196	160	HB 57	79	HB 244	54
SB 38	181	SB 197	337	HB 59	278	HB 249	335
SB 41	304	SB 203	296	HB 62	40	HB 251	265
SB 45	61	SB 207	148	HB 67	80	HB 254	32
SB 54	2	SB 210	301	HB 69	151	HB 258	82
SB 55	303	SB 211	141	HB 79	175	HB 260	83
SB 59	145	SB 219	287	HB 84	190	HB 261	14
SB 61	35	SB 222	179	HB 86	11	HB 270	343
SB 66	309	SB 227	282	HB 87	231	HB 273	44
SB 70	57	SB 229	180	HB 93	150	HB 279	15
SB 74	97	SB 230	111	HB 97	368	HB 280	206
SB 80	360	SB 234	364	HB 98	81	HB 281	207
SB 86	98	SB 238	298	HB 103	7	HB 282	5
SB 89	70	SB 239	144	HB 106	261	HB 283	53
SB 90	99	SB 243	299	HB 109	12	HB 286	19
SB 91	363	SB 257	365	HB 110	39	HB 292	235
SB 100	305	SB 262	362	HB 112	41	HB 293	292
SB 107	347	SB 267	196	HB 115	42	HB 296	236
SB 112	71	SB 271	258	HB 120	38	HB 297	16
SB 113	100	SB 289	272	HB 126	294	HB 302	237
SB 116	58			HB 130	149	HB 305	22
SB 117	101	SJR 3	139	HB 131	6	HB 308	20
SB 120	341	SJR 16	359	HB 133	336	HB 309	52
SB 121	102	SCR 17	112	HB 136	202	HB 314	161
SB 125	308	SJR 23	74	HB 142	232	HB 320	45
SB 126	201	SJR 24	349	HB 143	13	HB 325	26
SB 128	147	SCR 34	113	HB 144	263	HB 327	238
SB 130	103	SJR 39	115	HB 145	257	HB 330	51
SB 131	59	SJR 42	116	HB 146	203	HB 332	78
SB 133	117	SCR 47	72	HB 152	75	HB 333	208
SB 134	104	SCR 49	114	HB 154	133	HB 334	84
SB 138	248	SCR 76	73	HB 156	137	HB 338	281
SB 139	269	SCR 92	197	HB 157	132	HB 339	85
SB 141	247	SJR 109	140	HB 163	158	HB 340	9
SB 142	277	SCR 142	332	HB 165	273	HB 343	300
SB 143	358	SJR 153	177	HB 166	65	HB 344	239
SB 146	105	SJR 156	146	HB 170	8	HB 346	31
SB 147	126	SCR 185	297	HB 171	66	HB 348	340
SB 149	60			HB 174	342	HB 350	209
SB 152	106	HB 1	1	HB 175	194	HB 353	50
SB 153	142	HB 4	154	HB 184	219	HB 357	291
SB 156	200	HB 23	3	HB 188	264	HB 358	157
SB 164	159	HB 26	295	HB 189	204	HB 367	191
SB 166	143	HB 29	153	HB 190	280	HB 369	67
SB 168	302	HB 31	262	HB 191	37	HB 372	338
SB 170	107	HB 32	63	HB 193	350	HB 376	266
SB 176	108	HB 33	10	HB 194	189	HB 378	77

2002 REGULAR SESSION

BILL NUMBERS TO ACTS CHAPTER

Bill No.	Acts Ch.						
HB 381	136	HB 589	122	HJR 3	30		
HB 383	86	HB 590	90	HJR 4	221		
HB 386	25	HB 593	212	HJR 5	220		
HB 387	306	HB 595	285	HJR 9	29		
HB 388	17	HB 596	329	HCR 10	28		
HB 389	240	HB 599	328	HCR 12	27		
HB 390	241	HB 614	366	HCR 13	333		
HB 391	351	HB 615	307	HCR 19	4		
HB 393	87	HB 617	130	HJR 25	310		
HB 395	195	HB 618	229	HCR 52	187		
HB 399	49	HB 621	213	HCR 53	186		
HB 400	134	HB 622	327	HCR 54	185		
HB 402	135	HB 625	215	HCR 55	322		
HB 405	293	HB 626	131	HCR 56	91		
HB 415	156	HB 628	218	HCR 57	184		
HB 416	36	HB 631	353	HCR 58	226		
HB 417	242	HB 634	69	HCR 59	227		
HB 421	188	HB 637	275	HCR 62	228		
HB 422	46	HB 644	170	HCR 63	224		
HB 427	210	HB 648	123	HCR 64	225		
HB 428	119	HB 649	124	HCR 65	92		
HB 438	176	HB 650	193	HCR 66	223		
HB 448	89	HB 652	171	HCR 70	24		
HB 452	183	HB 654	250	HCR 71	23		
HB 453	243	HB 657	172	HCR 72	48		
HB 455	162	HB 659	346	HJR 77	93		
HB 456	62	HB 662	267	HJR 92	311		
HB 457	367	HB 671	173	HCR 104	125		
HB 464	214	HB 679	167	HJR 122	165		
HB 467	244	HB 684	326	HCR 125	323		
HB 469	211	HB 688	216	HCR 132	331		
HB 470	88	HB 705	325	HJR 148	313		
HB 473	268	HB 707	354	HJR 188	222		
HB 474	68	HB 715	324	HJR 210	312		
HB 478	245	HB 720	321	HCR 244	348		
HB 483	163	HB 723	320	HCR 285	356		
HB 484	168	HB 728	76	HCR 286	357		
HB 487	283	HB 729	271				
HB 488	246	HB 736	192				
HB 503	290	HB 737	164				
HB 505	253	HB 739	319				
HB 510	249	HB 745	217				
HB 517	254	HB 749	334				
HB 519	289	HB 755	318				
HB 521	276	HB 781	252				
HB 525	230	HB 792	355				
HB 526	182	HB 801	270				
HB 529	169	HB 809	284				
HB 531	255	HB 810	317				
HB 549	47	HB 812	316				
HB 554	128	HB 821	345				
HB 556	118	HB 829	166				
HB 559	129	HB 846	352				
HB 571	251	HB 852	339				
HB 574	155	HB 855	315				
HB 583	256	HB 857	314				
HB 587	330						

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SENATE BILLS

SB 4

AN ACT relating to assistance dogs.

Amends KRS 258.500 to define “person” as a person with a disability as defined by KRS 210.770, to change the term “guide dog” to “assistance dog,” and to make technical corrections; amends KRS 189.575, 258.991, and 525.010 to conform.

SB 7

AN ACT relating to special spay neuter license plates.

Creates a new section of KRS Chapter 186 to create a special spay neuter license plate, sets minimum number of requests, sets fees, and directs special fees to the Animal Control and Care Fund established by KRS 258.119. EFFECTIVE January 1, 2003.

SB 11

AN ACT relating to the licensing of dentists.

Creates a new section of KRS Chapter 313 to allow the Board of Dentistry the authority to immediately temporarily suspend the license to practice of a dentist in order to protect the public.

SB 13

AN ACT relating to the promotion of Kentucky’s agricultural economy and declaring an emergency.

Creates new sections of KRS Chapter 45A to define “agricultural product” and “Kentucky-grown agricultural product”; requires the secretary of the Finance and Administration Cabinet to issue guidelines relating to the state’s procurement process; requires vendors to participate in the Department of Agriculture’s logo and labeling program; requires vendors that supply agricultural products produced outside the U.S. to provide country of origin information if available; amends KRS 45A.035 and 45A.095 to conform; creates new sections of KRS Chapter 148 to establish pilot projects relating to Kentucky-grown products and Kentucky farm-raised catfish and horticulture products; establishes a steering committee to oversee the progress of these pilot projects; creates a new section of KRS Chapter 260 to require the Commissioner of Agriculture to identify opportunities in the state procurement process for encouraging the growth of Kentucky’s agriculture economy and to report to the Governor, the Finance Cabinet, and the Legislative Research Commission by October 1, 2002; creates new sections of KRS 363.900 to 363.908 to ban MTBE in gasoline by January 1, 2006; encourages ethanol use in place of MTBE after January 1, 2004; allows for trace amounts of MTBE to remain; defines biodiesel fuel; encourages that biodiesel fuel use a biodiesel blend of not less than 2%; requires the Interim Joint Committee on Agriculture and Natural Resources to receive reports on the progress of petroleum refiners toward meeting federal standards for low-sulfur diesel fuel and the use of biodiesel to help meet those standards; EMERGENCY.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 14

AN ACT relating to state employee leave time.

Creates a new section of KRS Chapter 61 to allow paid leave during a disaster to state government employees who are certified as disaster services volunteers with the American Red Cross; establishes definitions of “disaster” and “state agency”; amends KRS 61.394 to clarify that state employees are entitled to leave of absence with pay and other benefits when called to military duty based on specified periods of time in a federal fiscal year rather than a calendar year.

SB 18

AN ACT relating to naming state roads.

Amends KRS 177.010 to define the terms “cabinet” and “secretary”; amends KRS 177.074 to require the Transportation Cabinet to erect signs on state highways in honor and memory of Kentucky state troopers killed in the line of duty; requires the cabinet to name a road upon receipt of a written request from the commissioner of the Kentucky State Police; provides that if a road requested by the State Police already bears a name, the Transportation Cabinet and State Police shall find a mutually agreeable road segment to name; requires the appropriate highway signs to be erected within 30 days of receipt of the written request.

SB 25

AN ACT relating to trafficking in, possession of, or use of drugs or controlled substances used to facilitate or used in furtherance of the commission of sexual offenses.

Amends KRS 218A.1412 relating to trafficking in a controlled substance in the first degree to add flunitrazepam (rohypnol) and gamma hydroxybutyric acid (GHB); amends KRS 218A.1415 relating to possession of a controlled substance in the first degree to add flunitrazepam (rohypnol) and gamma hydroxybutyric acid (GHB); amends KRS 510.050 relating to rape in the second degree to add engaging in sexual intercourse with another person who is mentally incapacitated; amends KRS 510.080 relating to sodomy in the second degree to add engaging in deviate sexual intercourse with another person who is mentally incapacitated; amends KRS 510.110 relating to sexual abuse in the first degree to add a person who is mentally incapacitated; amends KRS 510.010 relating to sexual offense definitions to add to the definition of “physically helpless” a person who has been rendered unconscious or for any other reason is physically unable to communicate an unwillingness to act as a result of the influence of a controlled substance or legend drug; deletes reference to controlled substance in definition of “mentally incapacitated”; amends KRS 510.060 relating to rape in the third degree to delete reference to a person who is mentally incapacitated; amends KRS 510.090 relating to sodomy in the second degree to delete reference to a person who is mentally incapacitated; amends KRS 510.120 relating to sexual abuse in the second degree to delete reference to a person who is mentally incapacitated.

SB 26

AN ACT relating to crimes and punishments.

Amends KRS 509.040 to provide additional classification of offense of kidnapping; amends KRS 439.3401 to designate as “violent offenders” individuals convicted of robbery in the first degree; adds new offenses to those considered as violent offenses in KRS 439.3401 to

ACTIONS OF THE 2002 GENERAL ASSEMBLY

include burglary in the first degree accompanied by the commission or attempted commission of a felony sex offense, listed assault, or kidnapping.

SB 36

AN ACT relating to organ donation.

Amends KRS 186.412 and 186.531 to promote organ donation by requiring circuit clerks to point out the organ donor area on driver's licenses or nondriver's identification cards upon issuance and to offer witnesses from the clerk's office should the recipient sign the organ donor area in the clerk's office; requires solicitation of \$1 donation to the circuit clerks' organ donor program.

SB 38

AN ACT relating to health insurance.

Amends KRS 304.17-3163 and KRS 304.17A-134 to require coverage for medical and surgical benefits with respect to a mastectomy; amends KRS 304.17A-527 to enhance managed care plan contract requirements; amends KRS 304.17A-600 to remove automatic certification of accredited entities as independent review entities, and make technical correction; amends KRS 304.17A-607 to require the conduct of utilization reviews during regular business hours and on Monday and Friday through six p.m., require a decision within 24 hours of receipt of request, authorize electronic transmission of a written notice, require an explanation of the appeal process, and allow compliance with the standards of any nationally-recognized accrediting entity if accredited thereby; amends KRS 304.17A-609 to require that administrative regulations adopted by the department provide for documentation that actively-practicing providers are involved in development of the review criteria, and to allow evidence of accreditation in lieu of disclosing information; amends KRS 304.17A-613 to require the department to accept accreditation or certification by a nationally recognized accreditation organization; amends KRS 304.17A-617 to require expeditious handling of an internal appeal decision and provide for coverage only 30 days after disenrollment; amends KRS 304.17A-623 and 304.17A.625 to conform, and to reduce from 30 days to 10 days the allotted time for notification to the department that a decision was implemented; amends KRS 304.17A-700 to amend the definitions of "clean claim," "health claim attachment," "utilization review," and "health care provider"; amends KRS 304.17A-702 to make a technical correction; amends KRS 304.17A-704 to clarify that an insurer, its agent, or designee shall acknowledge a nonelectronic claim to a provider, its billing agent, or designee that submitted the claim, and to require that a notification of all missing information or errors in the billing instrument be given at the time of acknowledgment; amends KRS 304.17A-706 to authorize an insurer to contest, but not delay payment of, a clean claim and to reduce from 20 days to 15 days the time a provider may submit information to the insurer for a retrospective review, and to authorize resubmission of a claim by the provider; amends KRS 304.17A-714 to modify requirements for insurers and providers in the event of claim overpayment; amends KRS 304.17A-722 to provide that the department's administrative regulations require insurer reports on a quarterly calendar basis with specified information; amends KRS 304.17A-730 to conform, and to reduce the time period from which interest will accrue from 90 days to 60 days; amends KRS 304.99-123 to redefine insurer compliance for purposes of imposing a fine for violation; amends KRS 304.18-0983, KRS 304.32-1593 and KRS 304.38-1934 to conform; amends KRS 304.32-320 to require notice of the name of a third party administrator; repeals KRS 304.17A-350.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 41

AN ACT relating to insurance.

Creates new sections of Subtitle 14 of KRS Chapter 304 to define short-term nursing home insurance policies; authorizes the commissioner of the Department of Insurance to promulgate administrative regulations regarding short-term nursing home insurance policies and loss ratio standards for short-term nursing home insurance policies; permits short-term nursing home insurance policy applicants to return the policy or certificate within 30 days of its delivery and to have the premium refunded if unsatisfied with the policy; provides that short-term nursing home insurance policies issued after the effective date of this Act shall cover services received in assisted living communities which meet the requirements of KRS 194.700 to 194.729 and any administrative regulations promulgated thereunder and any additional requirements of an assisted living community set forth in the short-term nursing home insurance policy approved by the commissioner; provides that short-term nursing home insurance policies issued after the effective date of this Act shall cover services received in an adult day care facility which meets the requirements of KRS 205.950 or 216B.0443 and any administrative regulations promulgated thereunder and any additional requirements of an adult day care center set forth in the short-term nursing home insurance policy approved by the commissioner; authorizes the commissioner to promulgate administrative regulations establishing standards for premium rate practices and rate increases for long-term care benefits and incidental long-term care benefits; amends KRS 304.14-435 to allow applications required to be filed with the department to be filed in a language other than English; requires the non-English version of an application to be filed in the same format as the English version and contain all items in English followed in parentheses with the non-English translation; amends KRS 304.14-560 to require the commissioner to issue administrative regulations setting forth information to be provided by insurers writing long-term care insurance to the department to complete the biennially compiled consumer's guide to long-term care insurance in Kentucky; amends KRS 304.14-600 to define "incidental" to mean that the value of the long-term care benefits provided in a policy is less than 10% of the total value of the benefits provided over the life of the policy; includes qualified long-term care policies as defined in 26 U.S.C. sec. 7702B(b) within the definition of long-term care insurance.

SB 45

AN ACT relating to the Kentucky Housing Corporation and declaring an emergency.

Amends KRS 198A.010 to provide that persons and families of lower and moderate income, for the purpose of qualifying for low interest loans from the Kentucky Housing Corporation, means those individuals and families whose income does not exceed the income requirements under Section 143 of the Internal Revenue Code; EMERGENCY.

SB 54

AN ACT relating to approval of a capital project, appropriating funds therefor, and declaring an emergency.

Approves, authorizes, and appropriates \$32,500,000 in other funds in fiscal year 2001-2002 for the renovation of Diddle Arena and related athletic facilities at Western Kentucky University; EMERGENCY.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 55

AN ACT relating to abandoned infants and declaring an emergency.

Amends KRS 311.6526 to require the Emergency Medical Services Program for Children to collaborate with the Cabinet for Families and Children, to require guidelines for responding to abandoned infants, including preserving the confidentiality of the parent, and to define “newborn infant” as an infant less than seventy-two (72) hours old; creates a new section of KRS Chapter 211 to specify that an emergency medical services provider has implied consent for treatment, to require that the identity of the person placing the newborn be kept confidential, and to state that provisions do not apply when indicators of child abuse or neglect are present; creates a new section of KRS 216B.400 to require emergency rooms to accept newborns anonymously and perform all necessary medical care, provide immunity for acts of medical care but not acts of negligence, and provide implied consent for treatment; requires notification to the Cabinet for Families and Children; makes voluntary information available to person leaving the infant; states that provisions do not apply when indicators of child abuse or neglect are present; creates a new section of KRS Chapter 405 to permit parent to anonymously place newborn with a hospital, or emergency medical services, police, or firefighters who are required to arrange for the infant to go to a hospital and provides that by doing so, the parent waives legal standing and right to notification of court proceedings under KRS Chapter 620; creates a new section of KRS Chapter 620 to require the cabinet to seek emergency custody of abandoned infant, prohibit child abuse or neglect investigation or assessment when infant is placed in manner described, and specify that provisions do not apply when indicators of child abuse and neglect are present; requires placement in a home willing to adopt the infant; provides that if court places temporary custody with the cabinet the order remains in effect for at least thirty (30) days; requires law enforcement investigation through Missing Child Information Center; permits the cabinet to pursue termination of parental rights; specifies procedures when a parent makes a claim to the infant and requires cabinet investigation or assessment and home evaluation; allows the court to require genetic testing at the expense of the parent; creates a new section of KRS Chapter 620 to require the cabinet to provide information and medical history forms, and permit the cabinet to produce a media campaign; provides that the Act shall be known as the “Representative Thomas J. Burch Safe Infants Act”; EMERGENCY.

SB 59

AN ACT relating to peace officers.

Amends KRS 61.365 relating to Kentucky peace officer powers for named federal officers to add U.S. Customs Service special agents.

SB 61

AN ACT relating to energy savings in state government buildings.

Amends KRS 56.770 et. seq., relating to the Energy Efficiency Program for State Buildings; sets a goal of 10% energy reduction over four years; redefines “guaranteed energy savings performance contract” and defines “savings,” “capital cost avoidance,” and “operating costs”; includes state-leased buildings in requirements; eliminates requirement that the state must own all improvements from the outset; standardizes energy-savings measurement and verification methods; authorizes Finance and Administration to promulgate administrative regulations governing the terms and procurement of guaranteed energy savings performance contracts and requires postsecondary institutions and other state corporations and agencies to

ACTIONS OF THE 2002 GENERAL ASSEMBLY

adhere to those administrative regulations; requires all guaranteed energy savings performance contracts to be approved by the Office of Financial Management; creates a revolving loan fund in the Treasury for funding energy efficiency improvements.

SB 66

AN ACT relating to the merger of volunteer fire departments.

Creates new sections of KRS Chapter 95A establishing procedures for merger of two (2) or more volunteer fire departments; defines qualified fire department and qualified share; establishes merger incentives; requires volunteer fire departments to notify the Fire Commission of mergers and splits; establishes requirements concerning split fire departments; establishes criteria for the State Fire Commission to disburse insufficient funds; establishes a requirement that newly merged fire departments remain qualified to receive volunteer department aid and establishes deadlines for compliance; amends KRS 95A.262 to incorporate merged volunteer fire departments within the aid program.

SB 70

AN ACT relating to presumption of death.

Creates a new section of KRS Chapter 422 to provide a procedure for presuming death following a catastrophic event declared as such by the Governor; permits the Attorney General to intervene in cases; provides for free death certificate; amends KRS 393.050 relating to presumption of death in escheat cases and KRS 422.130 relating to presumption of death, to conform.

SB 74

AN ACT relating to college preparatory educational programs.

Creates a new section of KRS Chapter 158 to require the Kentucky Department of Education (KDE) to develop a core advanced placement curriculum, to expand access to advanced placement courses through the Kentucky Virtual High School, and to require school districts to grant credit to students for courses taken via the Kentucky Virtual High School; creates a new section of KRS Chapter 160 to require school-based decision-making councils to offer a core advanced placement curriculum, and to develop student recruitment and admission policies that recognize that all students have a right to a challenging curriculum; creates a new section of KRS Chapter 164 to require the Council on Postsecondary Education (CPE) to develop policies with state public postsecondary educational institutions establishing how those institutions will grant credit towards graduation to students who score at least a "3" on a College Board Advanced Placement examination; requires the Council on Postsecondary Education to work with the Kentucky Department of Education and the Education Professional Standards Board to develop guidelines for content knowledge and teacher training in dual enrollment and dual credit programs offered in Kentucky; permits students to obtain credit for advanced placement, high school equivalent, or Kentucky Virtual High School courses taken prior to entrance into high school when students taking those courses attain comparable levels of achievement to high school students in their school district taking the same or similar courses; clarifies the role of the Kentucky Board of Education in promulgating administrative regulations for advanced placement courses and directs the Kentucky Department of Education to implement various advanced placement programs upon the receipt of adequate federal funding.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 80

AN ACT relating to crimes and punishments.

Amends KRS 508.025 relating to assault in the third degree to include an assault upon a public or private elementary or secondary school employee or volunteer within its provisions.

SB 86

AN ACT relating to tobacco research.

Creates a new section of KRS Chapter 248 to establish the Kentucky Tobacco Research and Development Center; allows for expansion of the new center's research beyond tobacco into related and complementary interests, including but not limited to commercialization potential, plant natural products research, and research into development of new crops based on tobacco and other plants; makes the expansion of research by the new center subject to the approval of the Kentucky Tobacco Research Board, which will oversee the new center; amends several sections of KRS Chapter 248 to rename the Tobacco Health and Research Institute as the Kentucky Tobacco Research and Development Center; amends KRS 248.520 to allow the sharing of the new center with other complementary research operations, subject to the approval of the Kentucky Tobacco Research Board; amends KRS 248.510 to change the composition and duties of the Kentucky Tobacco Research Board to reflect the changes in mission of the Kentucky Tobacco Research and Development Center; and makes technical corrections in KRS 248.510 to 248.570 to reflect these changes.

SB 89

AN ACT relating to domestic violence information.

Amends KRS 403.7505 to require the Cabinet for Health Services to collect information on domestic violence offenders served and require certified service providers to submit information on domestic violence offenders to the cabinet; creates a new section of KRS Chapter 237 to require the Justice Cabinet to make a reasonable effort to notify a petitioner who obtained a domestic violence order that the respondent has attempted to purchase a firearm; amends KRS 237.095 to exempt domestic violence orders issued or reissued on or after July 14, 2000, through the effective date of this Act; provides for immunity from civil liability for good faith conduct in carrying out responsibilities; provides that immunity from civil liability shall not limit liability for negligence.

SB 90

AN ACT relating to mental health and declaring an emergency.

Amends KRS 202A.011 and 202B.010 to include in the definition of a "qualified mental health professional" a licensed marriage and family therapist and a professional counselor with three years of experience in psychiatric mental health practice and currently employed by a licensed hospital or forensic facility, a psychiatric unit of a general hospital, a private agency engaged in providing mental health services, or a regional community mental health or mental retardation program; amends KRS 202A.400 to provide immunity from liability to mental health professionals who fail to warn of a patient's violent behavior if an actual threat is not communicated; provides immunity to mental health professionals who disclose information to third parties when the duty to warn is actualized; extends immunity and corresponding duty to warn to a professional counselor, a licensed marriage and family therapist, a certified fee-based pastoral counselor, and a certified art therapist; amends KRS 600.020 to include in definition of

ACTIONS OF THE 2002 GENERAL ASSEMBLY

“qualified mental health professional” a licensed family therapist and a professional counselor with three years of experience and currently employed in a licensed hospital or forensic psychiatric facility, a psychiatric unit of a general hospital, or a regional comprehensive care center; amends KRS 645.270 to provide immunity from liability to mental health professionals who fail to warn of a patient’s violent behavior if an actual threat is not communicated; provides immunity to mental health professionals who disclose information to third parties when the duty to warn is actualized; amends definitions of “counselor” in KRE 506 by deleting licensed family therapists; amends KRE 507 to include marriage and family therapist in definition of “psychotherapist”; EMERGENCY.

SB 91

AN ACT relating to medical records for health care providers participating in Medicaid.

Creates a new section of KRS 205.510 to 205.630 to permit a Medicaid-participating health care provider to maintain in an electronic medical record database the medical record for each public medical assistance patient treated by the health care provider, and permits the Cabinet for Health Services to view a written copy of the record at the expense of the provider; provides that electronic signature shall be accepted for the electronic medical record; requires provider who maintains database to notify department and certify as to confidentiality and patient privacy; institutes best practices to prevent access to database and to assure security.

SB 100

AN ACT relating to employment contracts of deputy sheriffs.

Creates a new section of KRS Chapter 70 to authorize a three-year employment contract with newly-hired peace officers who participate in the KLEFFP fund; provides that the law enforcement agency be reimbursed for the cost of training if the peace officer leaves the law enforcement agency that initially hired the officer within the three-year period; sets out costs of training and provides for pro rata reimbursement; provides that reimbursement amount be reduced by the cost of the training provided by the Department of Criminal Justice Training; provides for reimbursement of state law enforcement agency if the peace officer is hired by a city or other local law enforcement agency under same terms and conditions.

SB 107

AN ACT relating to license plates.

Amends KRS 186.041, relating to special military-related license plates, to allow a special military plate to be combined with a personalized license plate; establishes the fee for an initial personalized license plate combined with military license plate at \$30, which shall be divided with \$25 going to the Transportation Cabinet and \$5 going to the Department of Veterans’ Affairs for the veterans’ program trust fund; allows a person renewing a combination personalized/special military license plate to donate \$5 to support the veterans’ program trust fund; directs county clerks to forward donations on all military related license plates to the Transportation Cabinet, which shall be responsible for sending the money quarterly to the Department of Veterans’ Affairs for deposit in the veterans’ program trust fund; amends KRS 186.174, relating to personalized license plates, to conform.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 112

AN ACT relating to the finances of county fee officers.

Creates a new section of KRS Chapter 64 to provide that if a sheriff and clerk are operating under the procedures applicable to counties over 70,000 in population, they shall continue to do so if the population is less than 70,000 after the next federal census; amends KRS 64.345, 64.346, 64.350, 64.530, 64.690, 134.215, 134.310, 18A.370, 64.121, and 64.355 to conform.

SB 113

AN ACT relating to death certificates.

Amends KRS 213.076 to require a person completing a death certificate to answer “yes” or “no” as to whether deceased had diabetes and whether diabetes was a contributing or underlying cause of death; creates a new section of KRS Chapter 213 to require the Cabinet for Health Services to include questions about diabetes on the death certificate form, and to require the state registrar to call attention to any defects in answering the questions to allow the person to correct the defects.

SB 116

AN ACT relating to the Public Service Commission.

Amends KRS 278.050 to clarify that commissioners of the Public Service Commission must serve on a full-time basis.

SB 117

AN ACT relating to fire protection sprinkler contractors.

Amends KRS 198B.595 relating to the fire protection sprinkler contractors license to remove language requiring the workers’ compensation insurance to be countersigned by a local agent; specifies that the required liability insurance must be in the form of certificate of insurance by an insurer executed by an insurer authorized to do business in Kentucky or exported by a licensed surplus lines broker to an eligible carrier under KRS 304.10-020 to KRS 304.10-210; clarifies that the liability insurance required by this Act is professional liability insurance that covers the legal liability of the licensed person as the result of erroneous acts or failure to act in his or her capacity as a fire protection sprinkler contractor.

SB 120

AN ACT proposing an amendment to Sections 190, 191, 192, 193, 194, 198, 200, 202, 203, 207, and 208 of the Constitution of Kentucky relating to corporations.

Proposes an amendment to Section 190 of the Constitution of Kentucky to permit the General Assembly to regulate corporations through general laws; proposes an amendment to the present Constitution of Kentucky by repealing the following sections pertaining to corporations: 191, 192, 193, 194, 198, 200, 202, 203, 207, and 208; provides for submission to voters.

SB 121

AN ACT relating to corporations.

Amends various sections of KRS Chapter 271B to facilitate electronic filings by corporations to the extent permitted by the Secretary of State; permits electronic communications between corporations and their shareholders; amends provisions relating to corporation finance

ACTIONS OF THE 2002 GENERAL ASSEMBLY

and issuance of shares and cumulative voting; creates a new section of KRS Chapter 271B to increase flexibility for shareholder meetings; requires that Sections 10, 11, 15, 18, and 19 of the Act take effect if a constitutional amendment pertaining to corporations is approved by the voters; requires that Sections 10, 11, 15, 18, and 19 shall be void if the voters do not approve a constitutional amendment pertaining to corporations.

SB 125

AN ACT relating to emergency medical matters.

Creates a new section of KRS 311.652 to 311.658 relating to emergency medical services to provide that public EMS agencies cannot have residency requirements for personnel and volunteers; permits a public agency, tax district, or other publicly funded EMS first response provider or licensed ambulance service to have a requirement for response to a specified location within a specified time limit for an employee or volunteer who is off-duty but who is on-call to respond for work.

SB 126

AN ACT relating to the payment of individual financial obligations to counties and declaring an emergency.

Amends KRS 64.840 to make optional, rather than mandatory, the application of a debit or credit card transaction fee to an individual's payment of a fine, forfeiture, tax, or fee paid to a county; EMERGENCY.

SB 128

AN ACT relating to a pilot program for unassisted voting by the blind.

Creates a new section of KRS Chapter 117 to define "blind or visually impaired individual" and "pilot program"; provides that a county board of elections in a county containing a consolidated local government or containing a city of the first class may establish a pilot program for unassisted voting by blind or visually impaired individuals; provides that the State Board of Elections shall approve, as part of the pilot program, and prior to a county board of election's application, the use of voting equipment under KRS 117.379 that is designed to permit blind and visually impaired individuals to vote without assistance, for use beginning in the 2002 general election; provides that no county board of elections in a county containing a consolidated local government or containing a city of the first class shall be required to apply for participation in the pilot program; provides that the State Board of Elections may approve the use of voting equipment designed to permit blind and visually impaired individuals to vote without assistance in as many locations in the county operating a pilot program as are designated by the county board of elections; provides for reporting to the State Board of Elections of the number of blind or visually impaired individuals that have used the voting equipment during the pilot program; provides that a blind or visually impaired voter in a pilot program county, notwithstanding KRS 116.025 or any other statute to the contrary, shall be permitted to vote at a location outside the precinct of registration by voting at a location within the county of registration on a voting machine designed to permit blind or visually impaired individuals to vote without assistance, which may include voting at the county clerk's office, or other place designated by the county board of elections, and approved by the State Board of Elections; provides that a blind or visually impaired voter in a pilot program county, notwithstanding KRS 117.075, 117.085, 117.086, or 117.0863 or any other statute to the contrary, shall be permitted to vote in the

ACTIONS OF THE 2002 GENERAL ASSEMBLY

designated location within the county of registration, on a voting machine at any time during which absentee voting is conducted in the clerk's office or other place designated by the county board of elections, and approved by the State Board of Elections, during normal business hours on at least any of the 12 days prior to the election, and the county board of elections may permit the voting to be conducted on a voting machine for a period longer than the 12 days before the election; provides for application; provides that the State Board of Elections may certify, as a part of a pilot project, voting equipment that uses audio recordings, voice-activated technology, or vocal recognition technology to record a vote, and may require such accommodations to permit the voter to cast a vote in secret; provides that notwithstanding KRS 117.255, a blind or visually impaired voter in a pilot project county may cast a vote alone and without assistance on a voting machine approved for use by the blind or visually impaired voter; allows blind or visually impaired voter to request instruction on the machine; provides that the right of a voter to receive assistance under KRS 117.255 shall be unimpaired.

SB 130

AN ACT relating to reorganization.

Amends KRS 214.640 to increase the members of the HIV/AIDS Advisory Council from 25 members to 30 members; confirms Executive Order 2001-542 dated May 3, 2001.

SB 131

AN ACT relating to reorganization.

Amends KRS 194A.135 to replace the membership of the Council on Postsecondary Education on the Developmental Disabilities Council with a single member of a nongovernmental agency and private nonprofit groups concerned with services for persons with developmental disabilities; amends KRS 15A.065, 210.575, and 210.775 to conform; confirms Executive Order 2001-1173, dated September 14, 2001, by which the Developmental Disabilities Council was reorganized.

SB 133

AN ACT relating to the collection of delinquent child support obligations by the Revenue Cabinet.

Amends KRS 131.130 to permit the Revenue Cabinet to enter annual memoranda of agreement with the Cabinet for Families and Children to collect support obligations for up to five years; permits the Revenue Cabinet to use the same powers, rights, duties, and authority for the collection, refund, and administration of support obligations as used by the Revenue Cabinet for delinquent taxes under KRS Chapters 131, 134, and 135 and as used by the Cabinet for Families and Children for support obligations under KRS Chapters 205 and 405.

SB 134

AN ACT relating to the Local Industrial Development Authority Act.

Amends KRS 154.50-316 to allow a local industrial development authority to consist of not less than six and not more than eight members, rather than six; amends KRS 154.50-326 and 154.50-333 to conform.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 138

AN ACT relating to property tax and declaring an emergency.

Amends KRS 134.450 to provide that in a county containing a city of the first class or consolidated local government that certificates of delinquency shall be filed in the county clerk's office within 14 days after a tax sale; amends KRS 134.500 to provide that in a county containing a city of the first class or consolidated local government the add-on fees are excluded from the interest calculation; EMERGENCY.

SB 139

AN ACT relating to private investigators.

Creates KRS Chapter 139A; creates a Board of Licensure for Private Investigators; defines "board," "company," "company licensee," "private investigating," "individual licensee," and "qualifying agent"; prohibits a person or company from holding himself or herself out to the public as a private investigator unless licensed by the board; establishes the membership, powers, and duties of the board; establishes a revolving fund in the state treasury for the use of the board; sets forth the procedure for application to the board for a license to practice private investigating; establishes the minimum qualifications an applicant must possess in order to be licensed as a private investigator including, but not limited to, a passing grade on a comprehensive examination and proof of insurance coverage; authorizes the board to impose and collect an application fee of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500); requires submission of each application, including the applicant's fingerprints to the Kentucky State Police and the Administrative Office of the Courts for a criminal history background check prior to the issuance of a license; directs the board to issue a license and picture identification card to each applicant approved for licensure; provides that each license or renewal shall be valid for two (2) years and sets forth the procedure for renewal, suspension, and reinstatement of a license; requires a company licensee to have a qualifying agent who performs the duties of an agent on a regular basis; prohibits a licensee from using a badge for identification or representing himself or herself as a sworn peace officer, divulging information acquired during the course of an investigation, making a material misrepresentation to a client, or continuing an obviously futile investigation; authorizes the board to conduct investigations into licensee wrongdoing and suspend or revoke a license, impose probationary conditions and fines, and issue written reprimands; provides for appeal of the board's actions to the Franklin Circuit Court pursuant to KRS Chapter 13B; exempts federal, state, and local officers, public accountants, attorneys, those engaged in obtaining credit ratings or genealogical information, persons investigating matters pertaining to his or her employer's business or on his or her own behalf, and employees of private investigating firms who work less than three hundred fifty (350) hours per year from the application of KRS Chapter 139A; provides that no political subdivision of this state may adopt or continue in effect any ordinances or rules regarding the regulation of private investigators; provides for automatic licensure of persons and companies that have conducted investigatory work within the Commonwealth for at least two (2) years prior to the effective date of this Act upon filing the proper application prior to April 1, 2003, paying the licensure fee, and passing the examination administered by the board.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 141

AN ACT relating to law enforcement personnel.

Creates a new section of KRS Chapter 61 to prohibit residence requirements, other than residence within the Commonwealth, for peace officers; prohibits a law enforcement agency from having a residence requirement for employees who do not have peace officer powers; prohibits a law enforcement agency from requiring law enforcement agency employees, sworn or not, to be registered voters; permits state and local governments to require peace officers who are on call to live within a reasonable distance to allow sufficient response time.

SB 142

AN ACT relating to health care.

Creates a new section of KRS 205.510 to 205.645 to require adult day health care programs to provide skilled nursing services to Medicaid recipients during posted hours of operation only; amends KRS 156.070 to require each local board of education to require an annual medical examination for a student seeking eligibility to participate in any high school athletic activity or sport; permits the examination to be performed and signed by a physician, physician assistant, advanced registered nurse practitioner, or chiropractor, if performed within the professional's scope of practice; prohibits the State Board of Education or other agency from promulgating administrative regulations to the contrary.

SB 143

AN ACT relating to planning and zoning.

Amends KRS 100.111 to redefine the definition of "variance" to include "length" in the dimensional terms of departure from zoning regulations.

SB 146

AN ACT relating to health insurance.

Establishes Subtitle 17C of KRS Chapter 304 regarding limited health service benefit plans and creates new sections thereof to establish definitions for the subtitle; prohibits health insurers from discriminating against providers based on geographic coverage area; requires insurers to disclose in writing to covered persons and insureds or enrollees the terms and conditions of its limited health service benefit plan and any changes in the plan; requires insurers offering a limited health service benefit plan that uses a provider network to have a provider network that is available within 30 minutes or 30 miles of each enrollee's place of residence or work; requires insurers to establish standards for initial consideration of providers and also for providers continuing to participate in the plan; requires insurers to establish mechanisms for soliciting and acting upon applications for provider participation in the plan; requires insurers offering a limited health service benefit plan to establish a policy governing the removal of and withdrawal by health care providers from the provider network; requires insurers to file with the commissioner sample copies of any agreements it enters into with providers and directs the commissioner to promulgate administrative regulations prescribing the manner and form of filings required; sets forth the elements the agreements shall include; requires insurers entering into any risk-sharing arrangement or subcontract to file a copy of the arrangement along with other enumerated items with the commissioner; prohibits an insurer from contracting with a provider to limit the provider's disclosure to an enrollee of any information regarding the enrollee's medical condition or treatment options; prohibits penalizing a provider for discussing

ACTIONS OF THE 2002 GENERAL ASSEMBLY

medically necessary care or for discussing financial arrangements between the provider and the insurer with an enrollee; requires insurers to have a process for the selection of health care providers who will be on the plan's list of participating providers; establishes Subtitle 38A of KRS Chapter 304 and creates new sections thereof to establish definitions for the subtitle; prohibits a person from operating a limited health service organization without obtaining a certificate of authority; requires an application of authority to be filed with the commissioner and be accompanied by enumerated items; requires the commissioner to review the application and issue a certificate of authority if certain enumerated conditions are met; requires limited health service organizations to maintain a net worth of not less than \$125,000; allows the commissioner to suspend or revoke the certificate of authority issued to a limited health service organization upon determining that any of certain conditions exist; requires a limited health service organization to wind up its affairs immediately following the effective date of an order of revocation; requires a limited health service organization that contracts with a provider for the transfer of risk to the provider to take reasonable steps to ensure the transferee is able to accept and manage the risk to be transferred; states that a person holding a single service organization certificate of authority on the effective date of this Act will be converted to a limited health service organization; creates a new section of KRS Chapter 367, regarding consumer protection, to define "health discount plan," and to prohibit persons from selling, marketing, promoting, advertising, or otherwise distributing such a plan unless the plan materials clearly state that the plan is not insurance, the discounts are authorized by separate contracts with each health care provider listed in conjunction with the plan, and the discounts offered by the plan are disclosed to the consumer; deems a violation of this section an unfair act or practice in the conduct of trade or commerce in violation of KRS 367.170; amends KRS 304.1-120 to state that no provision of the insurance code shall apply to a public or private ambulance service meeting outlined conditions; repeals KRS 304.43-010, 304.43-020, 304.43-030, 304.43-040, 304.43-050, 304.43-060, 304.43-070, 304.43-080, 304.43-085, 304.43-090, 304.43-100, 304.43-110, 304.43-120, 304.43-130, 304.43-140, 304.43-150, 304.38-065, 304.38-077, 304.38-500, 304.38-505, and 304.38-510; amends KRS 304.12-013, 304.33-020, and 304.38-040 to conform.

SB 147

AN ACT relating to the Kentucky Department of Education and declaring an emergency.

Confirms Executive Order 2001-975, dated June 25, 2001, to reorganize the Kentucky Department of Education by reassigning duties, resources, and staff and by renaming and realigning organizational unit; abolishing two divisions; amends KRS 157.360 to conform; adds provision that notwithstanding any other statute or administrative regulation to the contrary that the commissioner of education shall approve requests for all disaster days from a school district for those days missed because of flooding above five days missed for that reason during the 2002 spring semester; EMERGENCY.

SB 149

AN ACT relating to reorganization.

Amends KRS 196.026 to create the Division of Personnel Services within the Department of Corrections and confirms Executive Order 2001-1293 to the extent that order is not otherwise confirmed by the Act.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 152

AN ACT relating to health insurance coverage for hearing aids and related services.

Creates a new section of Subtitle 17A of KRS Chapter 304 to require all health benefit plans to provide coverage for hearing aids and related services for persons under 18 years of age; amends KRS 18A.225 to require all health benefit plans for state employees to provide coverage for hearing aids and related persons for dependents under 18 years of age.

SB 153

AN ACT relating to the practice of dentistry.

Creates a new section of KRS Chapter 313 to require an out-of-state dentist and dental hygienist performing dental services to Kentucky's indigent to obtain a temporary license from the Board of Dentistry; requires that the licensing state submit to the board the applicant's license number and a statement indicating that the applicant is in good standing with the licensing state's board; requires the dentist or dental hygienist to notify the appropriate agent in the Cabinet for Health Services prior to beginning the free services; permits the dentist and the dental hygienist to perform preventive procedures and treatments; permits a dentist to perform extractions and basic restorative procedures that may be completed in one appointment; authorizes the board to promulgate administrative regulations to carry out the provisions of this section; clarifies that a dentist or dental hygienist who provides charitable care and receives a license under this section is still eligible for the provision of medical malpractice insurance under KRS 304.40-075.

SB 156

AN ACT relating to the Kentucky Law Enforcement Council.

Amends KRS 15.315 to add the president of the Kentucky Sheriff's Association as an ex officio voting member of the council and to add two more sheriffs to the list of members to be appointed by the Governor; amends KRS 15.320 to increase to ten the number of council members required to be present to constitute a quorum for the transaction of business.

SB 164

AN ACT relating to the use of national accreditation for hospital licensure.

Creates a new section of KRS Chapter 216B to require the Office of the Inspector General to accept accreditation by the Joint Commission on Accreditation of Healthcare organizations or another approved accrediting organization as evidence of meeting licensing inspection requirements for hospitals; requires that an inspection not be conducted if the Office of the Inspector General receives a copy of the report within 30 days or documentation of full accreditation by the hospital; prohibits the provisions of this section from preventing other investigations that the Office of the Inspector General deems necessary; requires accredited hospitals to pay the required licensing fees; requires new hospitals to undergo on-site inspections for licensure; requires the cabinet to consider the requirements of approved accrediting organizations to the extent possible when promulgating administrative regulations.

SB 166

AN ACT relating to the Office of Education Accountability.

Amends KRS 7.410 to make it explicit that the Office of Education Accountability has a responsibility to periodically review personnel policies and practices relating to recruitment, selection, evaluation, termination, and promotion of personnel; requires the office to review

ACTIONS OF THE 2002 GENERAL ASSEMBLY

personnel policies in those districts that have at least 8% minority student population but do not have minority staff equal to 8% overall or in the teaching or administrative staff and to report its finding to the Education Assessment and Accountability Review Subcommittee by November 15, 2003.

SB 168

AN ACT relating to reducing the achievement gaps in the public schools.

Creates a new section of KRS Chapter 158 to define “achievement gap” as the substantive performance difference on each of the tested areas, by grade level, of the Commonwealth Accountability Testing System between the various groups of students, including male and female students, students with and without disabilities, students with and without English proficiency, minority and nonminority students, and students who are eligible for free and reduced lunch and those who are not eligible for free and reduced lunch; requires the Department of Education by November 1 in each year, to provide each school council, or principal if there is not a council, data on its students’ performance as shown on the statewide tests; requires each local board of education by December 1, 2002, to adopt a policy for reviewing the academic performance on the state assessments for the various groups of students; requires the school-based decision making council, or the principal if there is not a council, by February 1, 2003, and each February 1 in odd-numbered years thereafter, with the involvement of parents, faculty, and staff, to set the school’s biennial targets for eliminating any achievement gap and submit them to the superintendent for consideration; requires the superintendent and the school council to agree on the targets before they are submitted to the local board of education for review; requires the school council, or the principal, by April 1, 2003, and each April 1 in odd-numbered years thereafter, to review the desegregated data and revise the consolidated plan to include the biennial targets, strategies, activities, and a time schedule calculated to eliminate the achievement gap among the various groups of students; requires the principal to convene a public meeting at the school to present and discuss the plan prior to submitting it to the superintendent and the local board of education for review; requires the local board to determine if a school meets its targets; requires revisions to the consolidated plan in the areas of professional development and extended school services by schools that do not meet their targets and submission to the superintendent for approval; requires the superintendent to report schools that do not meet their targets after four years to the Commissioner of Education; amends KRS 158.805 to require that for the 2002-2004 biennium Commonwealth School Improvement Funds be spent to reduce the achievement gaps in schools not meeting their goals under the statewide accountability system; amends KRS 160.340 to require the local board of education to biennially review in a public meeting the portion of the schools’ consolidated plan that sets forth the activities and schedule to reduce the achievement gaps among the various groups of students; amends KRS 156.095 and KRS 160.345 to conform.

SB 170

AN ACT relating to real estate broker liens.

Amends KRS 376.075 to permit a real estate broker to file a lien on real property to secure his or her payment for services rendered with regard to that real property.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 176

AN ACT relating to municipal electric utilities.

Amends KRS 96.520 to permit a city of the second through sixth class to sell power to any electric, combination electric or gas utility, or its affiliate that is regulated by the Kentucky Public Service Commission, or a city-owned utility established pursuant to KRS Chapter 96.

SB 178

AN ACT relating to state income tax filing extensions.

Creates a new section of KRS Chapter 141 to allow National Guard and Reserve members called to active duty and who serve in an area designated as a combat zone, by presidential proclamation, to delay filing a Kentucky income tax return; amends KRS 141.215 to remove references to active duty personnel serving outside the United States in Operations Desert Shield and Desert Storm.

SB 179

AN ACT relating to property valuation.

Amends KRS 132.010 relating to definitions for levy and assessment of property taxes to expand the definition of agricultural land to include tracts of land at least five contiguous acres commercially used for aquaculture.

SB 184

AN ACT relating to local governments.

Amends KRS 67A.360, relating to the policemen's and firefighter's retirement fund in an urban-county, to change the definition of "salary"; amends KRS 67A.410 to provide a vote by the active membership by March 3, 2003, to adopt or not adopt a 20-year and out provision, regardless of age, and require implementation of provision, if adopted, within six months of passage; amends KRS 67A.430 to provide an annual increase to the minimum annuity of \$1,000 based on KRS 67A.690(1); amends KRS 67A.440 to provide that a surviving widow of a member killed in the line of duty shall receive a retirement allowance even if she remarries; amends KRS 67A.520 to provide that the board must set an employer contribution rate every two years; amends KRS 67A.580 to require that a surplus be used to reduce the employee contribution, not the government contribution; amends KRS 67A.690 to conform nonoccupational disability increases to those of occupational disability increases; creates a new section of KRS 67A.210 to 67A.350 to require an urban-county government to provide retiree health and medical insurance for retired members of policemen's and firefighters' pension fund and city employees, with exceptions; creates new sections of KRS Chapter 281 to allow a consolidated local government or an urban-county government to be granted authority by the Transportation Cabinet to regulate taxicabs in their own jurisdictions; sets forth procedures for submitting a request for the regulatory authority; requires the local government to adopt an ordinance regarding regulation of taxicabs and sets forth the areas of public comfort, safety, and convenience that must be addressed in the ordinance; requires the cabinet to review the ordinance and, if it determines that the ordinance meets the statutory requirements, to grant the requested authority; to require all taxicabs operating under a permit issued by a local government or under a certificate issued by the cabinet to undergo an annual safety inspection; requires all taxicab operators applying for or renewing a permit or certificate to file proof of having successfully passed a safety inspection; establishes procedures for taking a taxicab that fails a

ACTIONS OF THE 2002 GENERAL ASSEMBLY

safety inspection out of service and procedures for reinstating it when the deficiencies have been corrected; grants the Department of Vehicle Regulation or local government the authority to revoke, or permanently deny, the certificate or permit of any person who willfully and intentionally files a fraudulent safety inspection record for any taxicab; grandfathers in existing taxicab certificate holders to operate the number of vehicles they had in effect on the day regulatory authority is shifted; amends KRS 138.446 to authorize taxicab companies regulated by urban-counties and consolidated local governments to receive a motor fuel tax refund.

SB 185

AN ACT relating to intermediate care facilities for the mentally retarded.

Creates a new section of KRS Chapter 216B to provide that a certificate of need shall not be required for adding beds to intermediate care facilities for the mentally retarded that need a level of care for no more than thirty days and provides that any beds designated for respite services shall comply with all applicable state and federal licensure requirements for intermediate care facilities for the mentally retarded.

SB 187

AN ACT relating to insurance premium surcharges.

Amends KRS 136.392 to provide that, no later than July 1 of each year, the Department of Insurance shall provide the Revenue Cabinet with a list of all Kentucky-licensed property and casualty insurers and the amount of premium volume collected for the preceding calendar year; provides that, no later than September 1 of each year, the Revenue Cabinet shall estimate the premium surcharge due from each insurer and compare the results of the estimate with the surcharge paid by each insurer during the preceding year and report to the Legislative Research Commission, the Commission on Fire Protection Personnel Standards and Education, the Kentucky Law Enforcement Council, and the Department of Insurance; prohibits the cabinet from identifying or divulging confidential tax information of any individual insurer in the report.

SB 192

AN ACT relating to the Education Professional Standards Board.

Amends KRS 161.030 to permit the Education Professional Standards Board to issue a conditional one-year certificate to a teacher who has not successfully completed the required assessments if the employing school district and teacher preparation institution agree to provide technical assistance and mentoring support to the new teacher; requires the Education Professional Standards Board to promulgate administrative regulations to establish the standards and procedures for issuance of the conditional certificate; requires the Education Professional Standards Board to conduct a study during the 2002-2003 school year to evaluate the reliability, validity, and efficacy of one or more assessment instruments for testing a new teacher's content knowledge and teaching skills; allows teachers who participate in the study of alternative assessments to receive a conditional certificate upon successfully completing the assessment; require the board to report its findings to the Interim Joint Committee on Education by October 1, 2003; amends KRS 161.017 to permit the executive director of the Education Professional Standards Board to have access to papers, books, and records of education personnel and subpoena authority for witnesses as part of an inquiry or investigation relating to disciplinary actions against a certified employee; amends KRS 161.028 to exempt a professional educator

ACTIONS OF THE 2002 GENERAL ASSEMBLY

who serves on an assessment validation panel or as a test scorer or proctor from KRS 45A.690 or KRS 45A.725 if he or she receives less than \$1,000 in a fiscal year; makes technical changes.

SB 193

AN ACT relating to the Petroleum Storage Tank Environmental Assurance Fund.

Amends various sections of KRS 224.60 to revise the definition of the petroleum storage tank environmental assurance fund to indicate that the fund has two subaccounts, the financial responsibility account and the petroleum storage tank account; amends the structure of the Office of Petroleum Storage Tank Environmental Assurance Fund to specify that the office shall administer the newly formed accounts created by this proposal as part of the fund; makes other specific references to the new accounts throughout; deletes an outdated reference to a deadline that has passed; directs that the financial responsibility account shall receive four-tenths of a cent from the one and four tenths cent paid on each gallon of gasoline and special fuel received in the state; directs that the petroleum storage tank account shall receive one cent from the one and four-tenths cent paid on each gallon of gasoline and special fuel received in the state; requires owners or operators seeking coverage under the petroleum storage tank account to file for eligibility and for financial assistance with the office on or before January 15, 2004; requires reimbursements of corrective action projects performed under the petroleum storage tank account to be carried out on or before July 15, 2009; directs that the office shall, within three months of the effective date of the Act, develop a plan to pay claims and complete corrective action at facilities eligible for reimbursement from the petroleum storage tank account; directs the office to employ an actuary to determine a reserve appropriate to meet the obligations for all eligible facilities in the two new accounts; deletes the requirement that an actuarial study be conducted every two years; requires the office to establish the deadline for submission of final reimbursement requests under the petroleum storage tank account at two years after receipt of a no further action letter or by July 15, 2010; allows the office to transfer funds between accounts; directs the office, when funds are available, to contract with the University of Kentucky for the purpose of updating the study conducted by the University in 1993; allows the cabinet to incorporate the study recommendations into administrative regulations establishing the clean up standards for levels of petroleum contamination; requires the cabinet to develop a final cleanup plan for facilities eligible for reimbursement from the fund and to include in the plan the current status of each facility in the corrective action process; establishes the financial responsibility account and the petroleum storage tank account within the fund; directs that four-tenths of a cent from the one and four-tenths cent paid on each gallon of gasoline and special fuels received in Kentucky be paid into the financial responsibility account; directs that one cent from the one and four-tenths cent paid on each gallon of gasoline and special fuels received in Kentucky be paid into the petroleum storage tank account; requires rather than allows the fund to be used to pay for corrective action required to be undertaken by the cabinet; deletes the authorization for use of the fund for paying the costs of the cabinet for implementing the tank registration program; requires the office to complete the review of a claim application after a deficiency has been corrected within the time remaining in the 90 day review period; requires that the owner of a petroleum storage tank placed in operation after July 15, 2002 to register the tank with the cabinet as a prerequisite to participation in the fund; requires the owners of tanks currently existing or removed from the ground after January 1, 1974 to register the tanks by July 15, 2004 rather than July 15, 2002 prior to applying to the fund; revises the collection of the petroleum environmental assurance fee to direct that four-tenths of a cent from the one and four-tenths cent paid on each

ACTIONS OF THE 2002 GENERAL ASSEMBLY

gallon of gasoline and special fuels received in Kentucky be paid into the financial responsibility account and that one cent from the one and four-tenths cent paid on each gallon of gasoline and special fuels received in Kentucky be paid into the petroleum storage tank account; requires an annual review of each account to determine if a surplus exists in each account; defines “surplus”; directs that a surplus be deposited in a restricted account; directs that the small operator assistance account and the small operator tank removal account shall continue in effect until July 15, 2004; allows counties to create industrial taxing districts to impose ad valorem and occupational license taxes, if the districts include property to be used for an economic development project that will create 500 or more jobs; exempts uranium purchased for use outside this state from the sales and use tax; allows property owners in counties of under 35,000 who own at least 1,000 contiguous acres to construct private airstrips; requires the strips to meet all federal regulations; allows counties to assess a \$100 fee per year.

SB 195

AN ACT relating to cosmetologists.

Creates a new section of KRS Chapter 317A to permit persons holding an active license as a cosmetologists or nail technician and who practice in licensed salons to render services to the deceased at funeral homes.

SB 196

AN ACT relating to emergency medical services.

Amends KRS 311.658 to permit emergency medical technician-basic providers and paramedics to administer epinephrine for allergic reactions under medical protocol of the licensed ambulance service; creates a new section of KRS 311.652 to 311.658 to require ambulance providers to stock epinephrine and administration supplies on ambulances and to establish medical protocols for treatment of allergic reactions.

SB 197

AN ACT relating to planning and zoning.

Creates a new Section of KRS Chapter 100 to define “compatibility standards,” “local government,” “manufactured home,” “qualified manufactured home,” and “permanent foundation”; allows a local government to adopt and enforce, as part of its zoning regulations, compatibility standards governing the placement of qualified manufactured homes in residential zones; specifies that the provisions of this Act shall not be construed to affect, modify, or abolish restrictions contained in recorded deeds, covenants, or developers’ subdivision restrictions, or limit in any way local government regulations designed to protect historic properties or historic districts; delays effective date of the Act until July 1, 2003.

SB 203

AN ACT relating to long-term care facilities.

Creates a new section of KRS Chapter 216B to require a long-term care facility as defined by KRS 216.535, except for personal care homes, that advertises that it provides special care for persons with a medical diagnosis of Alzheimer’s or that maintains an identifiable unit for the treatment of Alzheimer’s to provide eight hours of orientation training and five hours of annual continuing education to all staff members in the care and handling of Alzheimer’s disease or related disorders; specifies certain areas that the orientation should cover; and provides that a

ACTIONS OF THE 2002 GENERAL ASSEMBLY

deficiency citation penalty assessed against a personal care home shall be reduced by the dollar amount that the facility can verify was used to correct the deficiency if the condition resulting in the deficiency citation existed for less than 30 days prior to the date of the citation or the facility has not intentionally delayed correcting the deficiency to secure a reduction in a penalty that might be assessed.

SB 207

AN ACT Relating to Vision Examinations for Children Entering Public School, Public Preschool, or Head Start Programs.

Amends KRS 156.160 to clarify that vision screening examinations must be performed and submitted to the public school, public preschool, or Head Start program a child enters between the ages of three and six years old.

SB 210

AN ACT Relating to the Kentucky Board of Education

Amends KRS 156.070 to require the Kentucky Board of Education to require any agency or organization it designates to manage interscholastic athletics to adopt bylaws establishing two nonpublic school member representatives on the agency's or organization's board of control.

SB 211

AN ACT relating to teacher tribunals.

Amends KRS 161.790 to permit retired teachers and administrators to be appointed to serve on teacher tribunals; permits the Department of Education to use funds appropriated for professional development for tribunal member training; makes technical corrections.

SB 219

AN ACT relating to the Kentucky Birth Surveillance Registry.

Amends KRS 211.660 to require laboratory records to be submitted by medical laboratories to the Kentucky Birth Surveillance Registry, and to permit acute-care hospitals to keep a list of outpatients and participate in the registry on a voluntary basis; permits the Department for Public Health to require a general acute-care hospital to voluntarily keep a list of outpatients; requires access to records be granted to Kentucky Birth Surveillance Registry personnel only if required or voluntarily participating in keeping a list of inpatients and outpatients; and amends KRS 211.665 and 211.670 to conform.

SB 222

AN ACT relating to parole of prisoners.

Amends KRS 439.340 to permit the Parole Board to grant parole to any prisoner wanted as a fugitive by any other jurisdiction; requires the Parole Board to release the prisoner to the detainer from that jurisdiction.

SB 227

AN ACT relating to sexual offenses.

Amends KRS 510.060 to define rape in the third degree to include a person 21 or older who engages in sexual intercourse with another person less than 18 years old and for whom he provides a foster family home as defined in KRS 600.020; amends KRS 510.090 to define

ACTIONS OF THE 2002 GENERAL ASSEMBLY

sodomy in the third degree to include a person 21 or older who engages in deviate sexual intercourse with another person less than 18 years old and for whom he provides a foster family home as defined in KRS 600.020; amends KRS 510.120 so that a person is guilty of sexual abuse in the second degree when that person, being 21 years old or more, subjects another person to sexual contact who is less than 18 years old and for whom the abuser provides a foster home as defined in KRS 600.020.

SB 229

AN ACT relating to the establishment of a Lewis and Clark Bicentennial Commission.

Establishes the Lewis and Clark Bicentennial Commission; sets Commission membership to consist of nineteen members; defines Commission duties.

SB 230

AN ACT relating to architects.

Amends KRS 323.010 relating to architects to change the board's name and define "administration of construction contracts"; amends KRS 323.050 to delete requirements that an examination be given at least annually and replace with a requirement that an examination be given in accordance with terms between board and testing service; amends KRS 323.090 to require that at least six months elapse before an applicant can retake a section of the examination he or she fails; requires that an applicant take the examination within three years of the date he or she receives the board's approval to begin the examination process; requires that an applicant who does not complete the testing within the three year period reapply; amends KRS 323.110 to set out conditions by which automatic revocation is triggered; amends KRS 323.120 to include as grounds for disciplinary action violations of the chapter, disobeying a board order, and aiding or abetting someone in practicing architecture without a license; amends KRS 323.210 to grant the board the authority to administer oaths, receive evidence, interview persons, issue subpoenas, and require production of documents; amends KRS 323.033 to require that the services of the appropriate architect or engineer be used relating to the administration of construction contracts relating to certain buildings and additions.

SB 234

AN ACT relating to real estate appraisers.

Amends KRS 324A.060 require each executive director hired by the Real Estate Appraisers Board after July 15, 2002, to be a certified general or certified residential real estate appraiser with at least ten years of experience as an appraiser in Kentucky.

SB 238

AN ACT relating to transportation.

Creates a new section of KRS Chapter 177 to require the Transportation Cabinet to include shopping malls and shopping areas as businesses eligible for a specific service highway sign; amends KRS 177.037 to require the cabinet to install and maintain signs at the boundaries of any city of the first through sixth class, or an unincorporated urban place, to honor the birthplace of a person, or an event or accomplishment, important to the city or unincorporated urban place if the city or unincorporated urban place agrees to pay for the actual cost to make and install the signs; limits the number of these signs to two and if more than two are requested, the requests must be combined into one sign; amends KRS 186A.115 to provide that an

ACTIONS OF THE 2002 GENERAL ASSEMBLY

inspection of a motor vehicle conducted in one county and the fees paid for that inspection must be honored by the certified inspector, sheriff, and county clerk in all other counties in the state without requiring a second inspection or the payment of additional fees.

SB 239

AN ACT relating to state government strategic planning.

Creates a new section of KRS Chapter 48 to require each program cabinet, the Department for Local Government, the Department of Military Affairs, and the Governor's Office for Technology to submit a four-year strategic plan to the state budget director, the secretary of the Executive Cabinet, and the Legislative Research Commission with each biennial budget request; defines the components of the strategic plan; provides for a September 1 deadline for progress reports on the plan; requires the state budget director to designate an entity to develop and implement a methodology for strategic planning and to develop a training course for state government managers; requires the Governor's Office for Technology to maintain electronic strategic plan and progress report submission forms and to provide a public, searchable database.

SB 243

AN ACT relating to the availability of textbooks and instructional materials in accessible formats for students with disabilities.

Creates a new section of KRS Chapter 156 to define accessible format as meaning any medium or specialized format for presentation of instructional materials that is needed by a student with a disability for a reading accommodation other than standard print, including but not limited to Braille, large print, audio recordings, digital text, and digital talking books; requires the Department of Education to give preferential procurement status to textbook and instructional materials from publishers who make their materials available in alternative formats for use by students with disabilities, or who can verify that an alternative format textbook or educational material is currently available from or is in the process of being created by the American Printing House for the Blind, Recording for the Blind and Dyslexic, or another authorized entity; requires the Department of Education to require any publisher of a textbook or program adopted for use in the public schools to furnish computer files or electronic versions of the printed textbooks or electronic versions of the printed textbooks and instructional materials in digital files in extension markup language format effective July 1, 2003; requires the Department of Education to require publishers to make digital files upon request to the American Printing House for the Blind for production of accessible Braille and other materials and to Recording for the Blind and Dyslexic for production of accessible audio cassettes, digital text, and digital talking books.

SB 257

AN ACT relating to electric generating facilities.

Creates new sections of KRS Chapter 278 to establish definitions for "board," "merchant electric generating facility," "person," "commence to construct," "residential neighborhood," "qualifying cogeneration facility," and "nonregulated electric transmission line"; establishes the Kentucky State Board on Electric Generation and Transmission Siting; prescribes the membership and terms of membership; provides that the board is attached to the Public Service Commission; prohibits any person from constructing a merchant plant absent approval from the board; establishes statutory setback requirements for the exhaust stack of the facility of 1,000

ACTIONS OF THE 2002 GENERAL ASSEMBLY

feet from the boundary of an adjacent property owner and 2,000 feet from any school, hospital, nursing home; permits a planning and zoning commission to establish separate setback requirements that are more stringent than those in statute; establishes a statutory separate setback requirement for a facility that locates on site of a former coal washing facility and uses on site waste coal as a fuel source; permits the board to grant a waiver from setback requirements in statute, but prohibits waivers of setback requirements prescribed by a planning and zoning commission; establishes filing requirements for an application for a construction certificate issued by the board; provides that the board will render a decision on the application within 90 days of receipt of an application or 120 if a public hearing is held; prescribe criteria upon which the board will render its decision; permits a merchant electric generating facility to repair, modify, retrofit, enhance or reconfigure the plant without being deemed a new merchant electric generating facility; requires an applicant seeking a construction certificate from the board to obtain a site assessment report and submit the report to the board as part of the filing requirements; specifies the contents of the site assessment report; permits the applicant to hire a consultant to prepare the report; permits the board to hire a consultant to review the report and make another site assessment report; requires that the fees for the site assessment report be borne by the applicant; require the board to hold a local public hearing if the board receives three requests from interested persons residing in the county; permits the board to hold a local public hearing if a request is received from a planning and zoning commission, a mayor of a city or a county judge executive; permits evidentiary hearings of the board to be held in Franklin County; prescribes a process for the public hearing; provides for intervention by an interested person on an application before the board; requires that appeal of a final decision of the board be in the Circuit Court of the county where the facility is proposed to be located; prohibits any person from constructing a nonregulated transmission line absent board approval; establishes an application process and filing requirements for board approval of a nonregulated transmission line; creates new sections of KRS 278.010 to 278.450 to require electric interconnection agreements to be filed with and approved by the Public Service Commission; requires that any upgrade to the transmission grid as a result of additional load from the merchant electric generating facility be borne by the merchant electric generating facility and prohibits the retail electric customers from being assessed higher payments for upgrades to the transmission system; prescribes curtailment priorities for utilities when an emergency exists that requires curtailment; prohibits a person from acquiring or transferring ownership or control of any asset owned by an electric utility without prior approval of the Public Service Commission if the assets have a book value of \$1,000,000 or more; establishes a siting fund at the Public Service Commission and require that application fees be deposited into the fund for use in implementing the siting provisions; prohibits an electric utility from constructing an electric generating facility without obtaining a siting certificate from the Public Service Commission; creates a new section of Subchapter 10 of KRS Chapter 224 to create an application for a certificate of environmental compatibility from the Natural Resources and Environmental Protection Cabinet; requires a person, including a utility, to file a cumulative environmental assessment with the cabinet prior to commencing to construct a facility to be used for the generation of electricity; specifies the contents of the cumulative environmental assessment; permits the Natural Resources and Environmental Protection Cabinet to condition permits required for the construction or operation of a facility and requires that such conditions be in accordance with applicable standards; amends KRS 278.010 to amend the definition of nonregulated activity to include or other person.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SB 262

AN ACT relating to the administration of estates.

Amends KRS 391.030, relating to probate exemption for surviving spouse or surviving children, to increase the amount from \$7,500 to \$15,000 which a surviving spouse or the surviving children, if there is no surviving spouse, can claim as a personal property exemption from the decedent's estate; amends KRS 395.605, relating to informal settlement of estates, to clarify that the beneficiaries of an estate may request an accounting of the assets of the estate before executing a waiver to a formal settlement of the estate.

SB 267

AN ACT relating to the flag of the Commonwealth of Kentucky.

Amends KRS 2.030 to provide a code of etiquette for the state flag.

SB 271

AN ACT relating to retirement.

Amends KRS 21.580 to extend the Senior Status Special Judge pilot project until January 31, 2009; provides that the definition for final compensation in KRS 21.580 state "notwithstanding any provision to the contrary, for all members retiring under any provision of KRS 21.345 to 21.570 or this section, or similar statutes governing the same positions as defined in KRS 21.400, shall be based on a period of thirty-six months"; deletes the requirement that a legislator must be in office and in active contributing status to the retirement system on June 21, 2001, in order to purchase service credit for commissioner or military time; requires that a member of the legislators' retirement plan be in office and in active contributing status to the retirement plan on June 21, 2001, in order to be eligible to purchase five years of air time after the member has 240 months of service.

SB 289

AN ACT relating to the Nursing Workforce Foundation.

Creates new sections of KRS Chapter 314 to make findings and declarations; creates the Nursing Workforce Foundation to be governed by a board; defines membership of board; provides for quorum; requires board to employ or contract with a qualified person or nonprofit organization to serve as executive director and permit board to hire such other persons as necessary; provides that board shall be a nonprofit, quasi-governmental corporation subject to the Kentucky Open Records Law and Kentucky Open Meetings Law; provides that the foundation shall be funded by any grants, gifts, or contributions received by the board or other general funds appropriated by the General Assembly; establishes duties of board relating to disbursements and application for funding process for the award of grants to nursing education programs, nursing employer consortiums, and nursing employer associations for the recruitment of students and training of registered nurses and licensed practical nurses; provides for the board to establish and administer an application process, criteria and procedures for awarding scholarships or loan repayment assistance to registered nurses pursuing advanced degrees to become nursing faculty; provides for the board to establish and administer an application process, criteria and procedures for hospitals that provide nursing scholarships to receive matching funds; provides for audit of funds; requires annual reporting; provides that the board may structure scholarship, matching funds and loan repayment programs as necessary to secure funds available under federal matching programs; provides that all funds allocated to and

ACTIONS OF THE 2002 GENERAL ASSEMBLY

received by the board under the provisions shall be paid into the State Treasury and credited to a trust and agency account that shall not lapse; provides that the board shall make grants available to public and private nursing education programs located in Kentucky and employer organizations for recruitment of students and for training registered nurses or licensed practical nurses; provides that the board shall establish requirements for receipt of funds that require that they be expended exclusively on costs related to the purposes of the program; requires the board to establish and administer a matching fund program under which a hospital licensed under KRS Chapter 216B may sponsor a professional nursing student or a practical nursing student currently enrolled in an approved nursing program by contributing to the costs of the student's education and having that contribution matched in whole or in part by funds received by the board; requires the board to establish requirements for administration of the matching fund program; requires the board to establish and administer a scholarship program and a loan repayment program to prepare nurses to assume faculty positions in nursing education programs located in Kentucky, and to establish program requirements; provides that each school of nursing located in Kentucky, whether awarded funding or not, shall submit an annual report by August 1 to the board, the Kentucky Board of Nursing, the Council on Post Secondary Education, the Cabinet for Workforce Development, and the Legislative Research Commission detailing its strategies for increasing the enrollment of students that graduate from the program prepared for licensure as registered nurses or licensed practical nurses; provides that efforts undertaken by the schools to increase cultural diversity within its nursing students shall be included in the annual report to the board.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SENATE RESOLUTIONS

SJR 3

Names the bridges on Interstate 275 in Kenton County over the Licking River the “Alvin C. Powleit, M.D., Memorial Bridge.”

SJR 16

Directs the Transportation Cabinet to extend the naming of the “Bill Monroe Memorial Boulevard” in Ohio County; directs the Transportation Cabinet to name a segment of KY 680 in Floyd County in memory of Lovel Hall; directs the Transportation Cabinet to name a segment of KY 15 in Letcher County in memory of former State Representative Paul Mason; directs the Transportation Cabinet to name a segment of KY 3 in Lawrence County the “Freedom is Not Free Veterans Memorial Highway”; directs the Transportation Cabinet to name a segment of KY 72 in Bell County the “Coal Miners Memorial Highway”; directs the Transportation Cabinet to name the state highway garage in Burkesville in memory and honor of Bruce Perry Parrish; directs the Transportation Cabinet to name the state highway garage in Kemper in honor of Rick Slone; directs LRC to study the feasibility study of constructing a state park at the birthplace of Bill Monroe; establishes the Off-road Motorcycle and All-terrain Vehicle Task Force.

SCR 17

Creates the Kentucky Watershed Task Force to study the need for managing the state’s water on a watershed basis, the necessity of seeking agreements with border states on the management of water in shared watersheds, and, except for privately-owned water impoundments, the possibility of seeking agreements with the owners of impounded waters to manage the impounded water to further state and local water management goals.

SJR 23

Names the connector road at Virgie, Kentucky, between Kentucky 610 and United States 23 in honor of former Kentucky Representative N. Clayton Little.

SJR 24

Directs the Transportation Cabinet to name the bridge over Elkhorn Creek, bridge number B00025, on US 23 in Letcher County the “Robert B. Collins Bridge.”

SCR 34

Directs the Interim Joint Committee on Banking and Insurance to study the feasibility of self-funding at least one health insurance option for state employees.

SJR 39

Names the bridge on KY 693 in Greenup County at the intersection with White Oak Road “The Sergeant Beverly “Verly” Miller Memorial Bridge.”

SJR 42

Names the bridge on KY 775 in Logan County over Whipperwill Creek “The Lynn Dawson Bridge.”

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SCR 47

Reauthorizes the Tobacco Task Force.

SCR 49

Expresses support for the Department of Fish and Wildlife Resources in its efforts to gain the cooperation of neighboring states in the management of Kentucky's elk that may colonize or temporarily migrate to those states.

SCR 76

Encourages the Governor and the Cabinet for Health Services to respond to and fund the needs of Kentuckians living with HIV and AIDS.

SCR 92

Directs the Legislative Research Commission to create a task force to examine the development of the Lexington/Big Sandy Rail Trail and suggest a strategy for its completion; establishes membership and duties; requires report of its findings and recommendations to the Legislative Research Commission by December 15, 2002.

SJR 109

Directs the Transportation Cabinet to name the bridge on KY 195 at US 460 over the Russell Fork River in Pike County the "Earl Johnson Memorial Bridge" and to erect appropriate signs.

SCR 142

Urges the Kentucky Department of Education to encourage Kentucky educators and students to participate in international study and other activities that promote awareness and mutual understanding and respect for citizens of other countries and to identify international opportunities for learning.

SJR 153

Directs the Department of Financial Institutions to conduct a study of the establishment of an individual development accounts program in Kentucky; requires a report to the Legislative Research Commission no later than October 3, 2003.

SJR 156

Directs the Transportation Cabinet to name the bridge on US 60 over the Cumberland River in Livingston County in honor of former judge and sheriff Ralph Smith and erect appropriate signs.

SCR 185

Directs a subcommittee of the Interim Joint Committee on Health and Welfare to complete a study of issues related to senior prescription drug coverage, including options to promote access to coverage, strategies implemented by other states, sources of funding, and federal proposals to provide coverage; establishes the membership of the subcommittee; identifies agencies and groups from which the subcommittee is required to consider input; and requires a report no later than November 1, 2002.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HOUSE BILLS

HB 1

AN ACT relating to redistricting and declaring an emergency.

(Plan HH001A11) Amends various sections of KRS Chapter 5 to divide the Commonwealth into the following representative districts: District 1: Ballard, Carlisle, Fulton, Hickman, McCracken (part) Counties; District 2: Graves, McCracken (part) Counties; District 3: McCracken (part) County; District 4: Caldwell, Crittenden, Livingston, McCracken (part) Counties; District 5: Calloway, Trigg (part) Counties; District 6: Lyon, Marshall, McCracken (part) Counties; District 7: Daviess (part), Henderson (part), Union Counties; District 8: Christian (part), Trigg (part) Counties; District 9: Christian (part) County; District 10: Hopkins (part) County; District 11: Henderson (part) County; District 12: Daviess (part), Hopkins (part), McLean, Webster Counties; District 13: Daviess (part) County; District 14: Daviess (part), Ohio Counties; District 15: Christian (part), Hopkins (part), Muhlenberg Counties; District 16: Logan, Todd Counties; District 17: Butler, Grayson, Hardin (part) Counties; District 18: Breckinridge, Bullitt (part), Daviess (part), Hancock, Hardin (part) Counties; District 19: Edmonson, Hart, Larue Counties; District 20: Warren (part) County; District 21: Warren (part) County; District 22: Allen, Simpson, Warren (part) Counties; District 23: Barren, Warren (part) Counties; District 24: Casey, Marion, Pulaski (part) Counties; District 25: Hardin (part) County; District 26: Hardin (part) County; District 27: Bullitt (part), Hardin (part), Meade Counties; District 28: Jefferson (part) County; District 29: Jefferson (part) County; District 30: Jefferson (part) County; District 31: Jefferson (part) County; District 32: Jefferson (part) County; District 33: Jefferson (part) County; District 34: Jefferson (part) County; District 35: Jefferson (part) County; District 36: Garrard, Madison (part) Counties; District 37: Jefferson (part) County; District 38: Jefferson (part) County; District 39: Fayette (part), Jessamine Counties; District 40: Jefferson (part) County; District 41: Jefferson (part) County; District 42: Jefferson (part) County; District 43: Jefferson (part) County; District 44: Jefferson (part) County; District 45: Fayette (part) County; District 46: Jefferson (part) County; District 47: Carroll, Henry, Oldham (part), Trimble Counties; District 48: Jefferson (part) County; District 49: Bullitt (part) County; District 50: Bullitt (part), Nelson, Spencer (part) Counties; District 51: Adair, Taylor Counties; District 52: McCreary, Pulaski (part), Wayne Counties; District 53: Cumberland, Green, Metcalfe, Monroe Counties; District 54: Boyle, Washington Counties; District 55: Anderson, Mercer, Spencer (part) Counties; District 56: Fayette (part), Franklin (part), Woodford Counties; District 57: Franklin (part) County; District 58: Shelby, Spencer (part) Counties; District 59: Jefferson (part), Oldham (part) Counties; District 60: Boone (part) County; District 61: Gallatin, Grant, Owen Counties; District 62: Fayette (part), Scott Counties; District 63: Kenton (part) County; District 64: Kenton (part) County; District 65: Kenton (part) County; District 66: Boone (part) County; District 67: Campbell (part) County; District 68: Campbell (part) County; District 69: Boone (part), Campbell (part), Kenton (part) Counties; District 70: Bracken, Fleming, Mason Counties; District 71: Menifee, Morgan, Rowan (part), Wolfe (part) Counties; District 72: Bath, Bourbon, Fayette (part), Nicholas Counties; District 73: Clark, Madison (part) Counties; District 74: Montgomery, Powell, Wolfe (part) Counties; District 75: Fayette (part) County; District 76: Fayette (part) County; District 77: Fayette (part) County; District 78: Campbell (part), Harrison, Pendleton, Robertson Counties; District 79: Fayette (part) County; District 80: Lincoln, Pulaski (part), Rockcastle Counties; District 81: Madison (part) County; District 82: Laurel (part),

ACTIONS OF THE 2002 GENERAL ASSEMBLY

Whitley Counties; District 83: Clinton, Pulaski (part), Russell Counties; District 84: Harlan (part), Perry Counties; District 85: Laurel (part), Pulaski (part) Counties; District 86: Knox, Laurel (part) Counties; District 87: Bell, Harlan (part) Counties; District 88: Fayette (part) County; District 89: Jackson, Laurel (part), Owsley Counties; District 90: Clay, Harlan (part), Leslie Counties; District 91: Breathitt, Estill, Lee Counties; District 92: Knott, Letcher (part), Magoffin Counties; District 93: Pike (part) County; District 94: Harlan (part), Letcher (part), Pike (part) Counties; District 95: Floyd (part) County; District 96: Carter, Lewis Counties; District 97: Floyd (part), Johnson, Martin, Pike (part) Counties; District 98: Boyd (part), Greenup Counties; District 99: Boyd (part), Elliott, Lawrence, Rowan (part) Counties; District 100: Boyd (part) County; PLAN INTEGRITY VERIFIED; (Plan SH001A09) Amends various sections of KRS Chapter 5 to divide the Commonwealth into the following senatorial districts: District 1: Calloway, Carlisle, Fulton, Graves, Hickman, Lyon, Trigg Counties; District 2: Ballard, Marshall, McCracken Counties; District 3: Christian, Logan, Todd Counties; District 4: Caldwell, Crittenden, Henderson, Livingston, Union, Webster Counties; District 5: Breckinridge, Grayson, Hancock, Hart, Larue, Meade Counties; District 6: Hopkins, Muhlenberg, Ohio Counties; District 7: Anderson, Fayette (part), Franklin, Woodford Counties; District 8: Daviess, McLean Counties; District 9: Allen, Barren, Edmonson, Green, Metcalfe, Simpson Counties; District 10: Hardin, Jefferson (part) Counties; District 11: Boone, Gallatin, Kenton (part) Counties; District 12: Fayette (part) County; District 13: Fayette (part) County; District 14: Marion, Mercer, Nelson, Taylor, Washington Counties; District 15: Adair, Casey, Pulaski, Russell Counties; District 16: Clinton, Cumberland, McCreary, Monroe, Wayne, Whitley Counties; District 17: Grant, Kenton (part), Owen, Scott Counties; District 18: Bracken, Carter, Greenup, Lewis, Mason, Robertson Counties; District 19: Jefferson (part) County; District 20: Bullitt, Shelby, Spencer Counties; District 21: Estill, Jackson, Laurel, Menifee, Powell Counties; District 22: Boyle, Fayette (part), Garrard, Jessamine Counties; District 23: Kenton (part) County; District 24: Campbell, Pendleton Counties; District 25: Clay, Knox, Lee, Magoffin, Morgan, Owsley, Wolfe Counties; District 26: Carroll, Henry, Jefferson (part), Oldham, Trimble Counties; District 27: Boyd, Elliott, Fleming, Lawrence, Rowan Counties; District 28: Bath, Bourbon, Clark, Harrison, Montgomery, Nicholas Counties; District 29: Breathitt, Floyd, Knott, Letcher Counties; District 30: Bell, Harlan, Leslie, Perry Counties; District 31: Johnson, Martin, Pike Counties; District 32: Butler, Warren Counties; District 33: Jefferson (part) County; District 34: Lincoln, Madison, Rockcastle Counties; District 35: Jefferson (part) County; District 36: Jefferson (part) County; District 37: Jefferson (part) County; District 38: Jefferson (part) County; PLAN INTEGRITY VERIFIED; Add congressional redistricting plan (Plan CH001A09) to amend various sections of KRS Chapter 118B to divide the Commonwealth into the following congressional districts: District 1: Adair, Allen, Ballard, Butler, Caldwell, Calloway, Carlisle, Casey, Christian, Clinton, Crittenden, Cumberland, Fulton, Graves, Henderson, Hickman, Hopkins, Lincoln (part), Livingston, Logan, Lyon, Marshall, McCracken, McLean, Metcalfe, Monroe, Muhlenberg, Ohio (part), Russell, Simpson, Todd, Trigg, Union, Webster Counties; District 2: Barren, Breckinridge, Bullitt, Daviess, Edmonson, Grayson, Green, Hancock, Hardin, Hart, Jefferson (part), Larue, Marion, Meade, Nelson, Ohio (part), Shelby, Spencer, Taylor, Warren, Washington Counties; District 3: Jefferson (part) County; District 4: Bath (part), Boone, Boyd, Bracken, Campbell, Carroll, Carter, Elliott, Fleming, Gallatin, Grant, Greenup, Harrison, Henry, Kenton, Lewis, Mason, Nicholas, Oldham, Owen, Pendleton, Robertson, Scott (part), Trimble Counties; District 5: Bath (part), Bell, Breathitt, Clay, Floyd, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Magoffin, Martin, McCreary, Menifee,

ACTIONS OF THE 2002 GENERAL ASSEMBLY

Morgan, Owsley, Perry, Pike, Pulaski, Rockcastle, Rowan, Wayne, Whitley, Wolfe Counties; District 6: Anderson, Bourbon, Boyle, Clark, Estill, Fayette, Franklin, Garrard, Jessamine, Lincoln (part), Madison, Mercer, Montgomery, Powell, Scott (part), Woodford Counties; PLAN INTEGRITY VERIFIED; amends KRS 118B.010 to identify data used in congressional redistricting; deletes extension of 2002 filing deadline for state legislative and U.S. House of Representative offices to April 16 and extends deadline to 4:00 PM, February 1, 2002; EMERGENCY.

HB 4

AN ACT relating to deoxyribonucleic acid evidence in criminal cases.

Provides for omnibus revision of state's criminal DNA laws, including provisions for death row inmates to access forensic DNA testing, for utilization of DNA testing by prosecution and defense at trial, for storage, testing, destruction, and disposal of DNA evidence in ongoing and closed prosecutions, and for an expansion of the range of felons from whom DNA samples are collected for inclusion in the state's DNA database.

HB 23

AN ACT relating to elections and declaring an emergency.

Amends KRS 117.077 to permit a voter or spouse with a medical emergency occurring within 14 days of an election to apply for an absentee ballot; amends KRS 117.085 to provide that absentee ballot application may be requested by the voter, spouse, parents, or children of the voter, but shall be restricted to the use of the voter; provides that voters who change residence to a different state while the registration books are closed in the new state of residence before a presidential election may apply for an absentee ballot; permits members of the Armed Forces, dependents of members of the Armed Forces, and citizens residing overseas, students, voters who have surgery scheduled that will require hospitalization on election day and those voters' spouses, and voters who change their place of residence to a different state before a presidential election, to apply to vote absentee on a voting machine in the clerk's office; permits staff of the county board of elections, State Board of Elections, and deputy county clerk to vote absentee on a voting machine in the clerk's office; requires that the absentee ballot envelope provides for signatures of two witnesses if the voter signs the form with a mark instead of a signature; permits a voter qualified for a mail-in ballot who does not receive it in a reasonable time to obtain a second ballot; provides for record-keeping of ballots and specifies that the first voted ballot received counts; requires that an absentee ballot returned after the first is returned shall be marked as cancelled; amends KRS 117.086 to require a person having a power of attorney who signs the detachable flap and outer envelope for an absentee ballot to complete a voter assistance form; requires two witnesses if a voter signs with a mark; permits all voters qualified to vote prior to the election under KRS 117.085 to vote in the clerk's office; amends KRS 117.087 to require a person having a power of attorney who signs the detachable flap and outer envelope for an absentee ballot to complete a voter assistance form; requires two witnesses if a voter signs with a mark; provides that county boards of elections shall meet immediately following the effective date of the Act to alter precinct boundaries and bring them into compliance with new county commissioner and justice of the peace districts; requires that any redrawing of precincts be accomplished no later than 45 days after the effective date of the Act; provides that the State Board of Elections shall adopt an expedited schedule so that the alteration of precinct boundaries

ACTIONS OF THE 2002 GENERAL ASSEMBLY

may be accomplished within the time frame established by the State Board of Elections; EMERGENCY.

HB 26

AN ACT relating to health care and declaring an emergency.

Amends KRS 218A.202 to require the Governor's Office for Technology, in consultation with the Cabinet for Health Services, to apply for federal funds for a pilot project implementing a real-time electronic system to monitor prescriptions for scheduled drugs in two rural counties; applies the data collection, disclosure, access, and penalties provisions of KRS 218A.202 to the pilot project; creates a new section of KRS 205.510 to 205.645 to require adult day health care programs to provide services only during the posted hours of operation; EMERGENCY.

HB 29

AN ACT relating to body piercing.

Amends KRS 211.760 to define "body piercing," "facility," and "tattooing"; requires body piercing businesses to register with local or district health departments; prohibits the body piercing of minors without written notarized parental consent.

HB 31

AN ACT relating to elections.

Amends KRS 118.025 and 118.561 to change primary election date from the first Tuesday after the fourth Monday in May to the first Tuesday after the third Monday in May.

HB 32

AN ACT relating to elections.

Amends KRS 116.025 to permit a registered voter who has changed his residence to a different state while the registration books are closed in the new state before a presidential election to cast an absentee ballot for President and Vice President only, by mail or in the county clerk's office; amends KRS 116.035 to change references to non-gender specific terms; amends KRS 116.045 to provide that if the last day of registration falls on Saturday, Sunday, or a holiday, the registration term extends to the next day that is not a Saturday, Sunday, or holiday and requires a county clerk to enter party identification into the statewide voter registration system; amends KRS 116.0452 to require acceptance of mail-in voter registration forms if the form is legibly postmarked before the registration books are closed; amends KRS 116.0455 to provide that the circuit clerk shall provide a declination statement to the county clerk for applicants declining to register to vote; amends KRS 116.112 to require the State Board of Elections to send change of address notices and permit the county boards to request the State Board of Elections to send address confirmation notices; amends KRS 116.113 to allow information from reliable sources to be used to remove a person from the voter rolls; amends KRS 116.155 to require the listing of political party, political organization, or political group on the voter registration form; amends KRS 118.015 to define "political organization" and "political group"; amends KRS 118.045 to provide that flags shall be purchased for each voting location in the county and be attached to the main entrance of the voting location; amends KRS 117.045 to provide that election officers shall serve in all elections held in the county during the year; amends KRS 117.085 to provide that Kentucky residents who are members of the armed forces confined to a military base on election day and learn of that confinement within seven days or

ACTIONS OF THE 2002 GENERAL ASSEMBLY

less of an election and are not eligible for a paper ballot may apply in person during normal business hours on those days that absentee voting is conducted in the county clerk's office to vote on a voting machine in the county clerk's office or other place designated by the county board of elections and approved by the State Board of Elections.

HB 33

AN ACT regarding confirmation of voter identity.

Amends KRS 117.227 to remove the requirement that the election officer shall require the voter to complete the affidavit which is required to be completed by a voter whose right to vote is challenged, if the voter has no identification in his possession; amends KRS 116.085 to conform.

HB 36

AN ACT relating to write-in voting.

Amends KRS 117.265 to provide that candidates in cities of the 5th or 6th class shall file a declaration of intent to run as a write-in candidate; amends KRS 118.255 and 64.012 to remove twenty dollar (\$20) filing fee for a write-in candidate for 5th and 6th class city office.

HB 39

AN ACT relating to insurance.

Creates a new section of Subtitle 17A of KRS Chapter 304 to require health benefit plans that provide coverage for general anesthesia and hospitalization services to a covered person to provide coverage for payment of anesthesia and hospital or facility charges for services performed in a hospital in connection with dental procedures for children below the age of nine years, persons with serious mental or physical conditions, and persons with behavioral problems, with the same deductibles, coinsurance, network requirement and other limitations as apply to physical benefits under the health benefit plan; to require certification by the treating dentist or admitting physician that hospitalization or general anesthesia is required to safely and effectively perform the procedures; provides that routine dental care is not covered by this section.

HB 43

AN ACT relating to motor fuel taxes.

Amends KRS 138.344 and 138.358 to provide that a dealer who sells gasoline on which the tax has been paid that is used exclusively for the purpose of operating or propelling stationary engines or tractors for agricultural purposes may take a credit against the tax rather than the purchaser applying for a refund.

HB 45

AN ACT relating to eligibility for high school diplomas.

Amends KRS 158.140 and directs local board of education to award high school diplomas to honorably discharged veterans of World War II who were enrolled in, but did not complete, high school prior to their service in the United States Armed Forces during World War II.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 47

AN ACT relating to telephone solicitation.

Amends KRS 367.46951 to exclude from the definition of telephone solicitation a call made in response to an express request, a call in furtherance or maintenance of a continuous business, financial, or healthcare relationship, a call to collect a debt and a call from one business to another business; defines zero call list; amends KRS 367.46955 to require anyone making a telephone solicitation to abide by a code of conduct; amends the code of conduct to prohibit a person making a telephone solicitation from charging a credit card account or making an electronic fund transfer except in accordance with KRS 367.46953; prohibits anyone making a telephone solicitation from calling a person on the zero call list; requires the Attorney General's office to make the zero call list available free of charge; requires that only residential telephone numbers be on the zero call list; provides that lists be made available on area code or county wide basis; requires the Attorney General to report to the Legislative Research Commission by October 15 of each year regarding the actual cost of compiling the zero call list; requires written consent from the consumer before selling or making information available for economic gain; prohibits telephone solicitations using a prerecorded voice; prohibits the use of unfair, false, misleading, or deceptive practices as part of the telephone solicitation; requires the Attorney General's office to provide information about company specific and industry wide do not call lists to persons who inquire about Kentucky's zero call list; creates new sections of KRS 367.46951 to 367.46999 to require that the zero call list be available in electronic format searchable by area code, local exchange and individual telephone number; specifies the electronic format of the zero call list and stipulates that the format must be available for download in at least five of the most common data management formats; specifies the format for hard copies of the zero call list; requires the Public Service Commission to produce a pamphlet on consumer rights and responsibilities regarding telephone solicitation and requires inclusion of the pamphlet at least annually in the billing inserts of telephone companies under the commission's jurisdiction; establishes criteria for reasonable defense against charge of calling persons on the zero call list; establishes criminal and civil penalties for any telemarketing company, telemarketer, caller or merchant who violates the zero call list; amends the long arm statute to include the making of a telephone solicitation; requires the Attorney General to study the effectiveness and implementation of zero-call lists and report to the committee with jurisdiction over telephone solicitation by October 15, 2004.

HB 52

AN ACT relating to law enforcement.

Creates a new section of KRS Chapter 69 to allow a county attorney to employ detectives in a similar manner as is currently allowed for a Commonwealth's attorney, except that detectives shall not have explicit authority to arrest or execute process.

HB 55

AN ACT relating to school-based decision making councils.

Amends KRS 160.345 to allow applicants considered by school-based decision making councils until September 15 to provide evidence that they are qualified as required by law, administrative regulations, and school board policies; permits the superintendent to submit names of qualified applicants who have pending certification based on recent completion of preparation requirements, out-of-state preparation, and alternative routes to certification; replaces

ACTIONS OF THE 2002 GENERAL ASSEMBLY

language to require applicants to prove certification prior to assuming duties in accordance with KRS 161.020.

HB 56

AN ACT relating to school employees' sick leave.

Amends KRS 161.155 to include foster children in the definition of "immediate family."

HB 57

AN ACT relating to licensed professional clinical counselors.

Amends KRS 335.500 to define "credential holder," "licensed professional clinical counselor," "licensed professional counselor associate," and "practice of professional counseling"; amends KRS 335.505 to prohibit the practice of professional counseling without first obtaining a valid license, and provides that the prohibition against engaging in the practice of professional counseling without a license does not apply to a person who engages in victim counseling or advocacy, and is not intended to limit the activities of a sexual assault counselor, victim advocate, or crisis response team, or a person certified to provide court-ordered domestic violence offender treatment services; amends KRS 335.510 to create the Kentucky Board of Licensed Professional Counselors and establish a term length of four years; amends KRS 335.525 to establish the requirements for a professional clinical counselor license and a professional counselor associate license; permits certain currently practicing certified professional counselors to become licensed professional clinical counselors; permits a currently practicing certified professional counselor associate to become a licensed professional counselor associate; encourages each applicant for a professional clinical counselor license to include as part of the total hours of experience a minimum of 10 hours of direct counseling with individuals in a jail or corrections setting; amends KRS 335.527 to require 60 hours of graduate coursework and specifies required course subjects; amends KRE 506 to provide that communications between a licensed professional clinical counselor or licensed professional counselor associate and a patient are privileged; repeals KRS 335.530.

HB 59

AN ACT relating to Kentucky educational excellence scholarship awards.

Amends KRS 164.7879 to permit a student who attends high school out-of-state while his or her parent or guardian is serving in the United States military service and who maintains Kentucky as his or her home of record to qualify for Kentucky educational excellence scholarship awards for the 2001-2002 school year and thereafter; specifies that a student enrolled in the University of Kentucky Pharmacy program may qualify for Kentucky educational excellence scholarship awards, effective for the 2000-2001 school year and thereafter.

HB 62

AN ACT relating to the Kentucky Military Heritage Act.

Creates new sections of KRS Chapter 171 to establish the Military Heritage Commission and charges the commission with designation and protection of military heritage sites and military heritage objects; defines prohibited and permitted activities with regard to military heritage sites and military heritage objects; permits the Kentucky Heritage Council to receive administrative aid from the Kentucky Historical Society; places the Director of the Kentucky Historical Society and the executive director of the Commission on Military Affairs on the Kentucky Military Heritage Commission; establishes penalty.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 67

AN ACT relating to nursing practice in health facilities.

Creates a new section of KRS Chapter 212 to require the governing board of each local, district, and independent health department to have a written policy concerning the dispensing of nonscheduled legend drugs by an advanced registered nurse practitioner or registered nurse; provides that, in a health department, an advanced registered nurse practitioner or registered nurse may distribute nonscheduled legend drugs from a list that has been prepared by the Commissioner of the Department for Public Health, and that nothing shall be construed to limit advanced registered nurse practitioners from dispensing nonscheduled drug samples under KRS 314.011; provides that each prescription drug distributed or dispensed at the health department shall be recorded in the patient record; provides that the director of each health department shall be responsible for keeping track of the inventory of stock medications and accounting for the medications dispensed or distributed; provides that only a health department board having within its membership a pharmacist holding a valid license issued pursuant to KRS 315.030 shall be authorized to permit advanced registered nurse practitioners or registered nurses to dispense nonscheduled legend drugs according to the written policy of the board; provides that, if a health department is unable to recruit a licensed pharmacist to serve on the board, the board shall document the consultation with a pharmacist licensed in Kentucky in the public health practice of the health department; prohibits a health department from dispensing a medication or device prescribed for the purpose of causing an abortion; amends KRS 314.011 to permit advanced registered nurse practitioners and registered nurses to dispense noncontrolled legend drugs in a local, district, and independent health department, subject to the direction of the governing board of the health department; amends KRS 212.020, 212.380, 212.632, 212.640, 212.786, and 212.855 to require the various boards of health to have among their members a pharmacist licensed in Kentucky.

HB 69

AN ACT relating to immunizations.

Creates new sections of KRS Chapter 209 to require long-term care facilities, except family care homes and personal care homes, to provide or arrange for immunizations against pneumococcal disease and influenza for residents and employees; provides for exemptions; requires the Department for Public Health to provide educational literature regarding the efficacy and risks of these immunizations; requires the Department for Public Health to negotiate prices for pneumococcal and influenza vaccines with the manufacturers; entitles long-term care facilities to purchase these vaccines at the negotiated price; requires the commissioner of the Department for Public Health to report outbreaks of pneumococcal disease and influenza virus in long-term care facilities and to report the number of related hospitalizations.

HB 79

AN ACT relating to crimes and punishments.

Creates four new sections of KRS Chapter 434, relating to offenses against property by fraud, to define the crimes of improperly obtaining or disclosing financial information and attempting to improperly obtain or disclose financial information, to provide a penalty of a Class D felony for each; to define the crime of trafficking in financial information and to provide a penalty of a Class C felony therefor; and to enhance the subsequent offense of each crime that is committed by a business to also be a violation of the Consumer Protection Act; amends KRS

ACTIONS OF THE 2002 GENERAL ASSEMBLY

514.160, relating to identity theft, to include other examples of identifying information and to remove the qualifications for the consent of the victim and the format of the information; amends KRS 514.170, relating to trafficking in stolen identities to conform; amends both sections to enhance the subsequent offense of each crime that is committed by a business to also be a violation of the Consumer Protection Act; amends KRS 411.210, relating to civil actions for victims of identity theft, to include victims of new crimes relating to financial information established in KRS Chapter 434, to specify that the victim does not have to elect one civil remedy, and to provide reasonable costs and attorneys fees for the successful victim bringing an action under this section; amends KRS 15.113, 15.231, and 532.034 to conform.

HB 84

AN ACT relating to reorganization.

Amends KRS 12.020 to create the Office of Human Resource Management within the Cabinet for Families and Children; amends KRS 194B.030 to establish the Office of Human Resource Management with the Cabinet for Families and Children and to set forth the duties of the office; confirms Executive Order 2001-610, dated May 18, 2001, and Executive Order 2001-640, dated May 24, 2001.

HB 86

AN ACT relating to criminal justice matters, including but not limited to, inmate lawsuits.

Amends KRS 197.025, relating to restrictions on corrections records, to permit Department of Corrections to deny any person access to corrections records, but exempt records given to inmate relating to that inmate; amends KRS 454.415, relating to inmate lawsuits, to require exhaustion of administrative remedies prior to filing suit; amends KRS 413.140, relating to actions to be brought within one year, to add detention facility disciplinary proceeding suits and to specify date on which appeal time begins to run; amends KRS 454.410, relating to actions by indigent inmates, to clarify how a court determines indigency and to require filing fees of inmates who have filed three or more prior frivolous lawsuits; amends KRS 532.110, relating to concurrent and consecutive terms of imprisonment, to clarify when imprisonment is concurrent or consecutive; creates a new section of KRS Chapter 422 to require depositions of corrections personnel rather than requiring personal attendance in lawsuits arising from their duties; adds provision permitting a court to require a corrections employee to testify if a necessary witness in a civil proceeding; amends KRS 317.420 to exempt barbering at correctional facilities from barbering laws; amends KRS 17.552, relating to approval of sex offender risk assessment approval personnel, to exempt Department of Corrections sex offender program employees.

HB 87

AN ACT relating to notaries.

Amends KRS 423.010 relating to notaries to permit a notary to be appointed from his or her county of primary employment as well as his or her county of residence; permits a person who is not a resident of Kentucky, but who is employed in Kentucky, to become a notary public.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 93

AN ACT relating to public safety.

Amends KRS 197.120 to require that when a prisoner is released from a state penitentiary, the warden shall notify the Circuit Court, Commonwealth's attorney, and sheriff of the county where the prisoner was sentenced; requires that notice of prisoner release be given by mail, fax, or electronic means at the discretion of the Department of Corrections in a manner to insure receipt.

HB 97

AN ACT relating to the carrying of concealed weapons by public officials.

Amends KRS 527.020 to allow Commonwealth's and county attorneys and their assistants, justices of the Court of Justice, retired or senior status, or judges of the Court of Justice to carry concealed weapons, with required training, allow sheriffs, deputy sheriffs, jailers, deputy jailers, corrections officers, who have received Department of Corrections training to carry concealed weapons throughout the state, with employer approval, allow full-time paid peace officers from other states to carry a concealed weapon in the state if their jurisdiction grants reciprocity, allow those licensed to carry concealed weapons to keep ammunition in vehicles as well as a weapon; amends KRS 237.110 by deleting completion of the hunter education and fire arms safety course as a requirement for a concealed carry permit, allow any Kentucky Law Enforcement Council certified peace officer to obtain a concealed carry permit without fee or additional training, allow those licensed to carry concealed weapons to keep ammunition in vehicles as well as a weapon, require instructor trainers and instructors to only lose their licenses to instruct after an administrative hearing, require instructors to provide the Department of Criminal Justice Training 14 day notice of a concealed carry weapons class, require instructors within five days of completion to provide Department of Criminal Justice Training a roster of students who have passed and those who failed training, require that any instructor who is convicted of a felony automatically loses their license, require the Department of Criminal Justice Training to investigate any instructor that it believes may have provided insufficient training, require the Department of Criminal Justice Training to randomly inspect instructor classes and report the results of these investigations to the LRC; creates a new section of KRS Chapter 237 establishing requirements for the qualifications of certified firearms instructors; establishes fee structure for training; creates a new section of KRS Chapter 237 establishing requirements for the qualifications of firearm instructor trainers and establishes a fee structure for training; creates a new section of KRS Chapter 237 requiring the Department of Criminal Justice Training to operate a program for the training of applicants for a concealed carry permit and to limit the department's ability to terminate that program; creates a new section of KRS Chapter 237 establishing a new Class D felony, that of not providing firearms training; creates a new section of KRS Chapter 237 establishing a new Class A misdemeanor for those who fail to report nonexistent training to the sheriff, Commonwealth's attorney, or county attorney; creates a new section of KRS Chapter 237 establishing a new Class A misdemeanor for those who fail to report insufficient training to the sheriff, Commonwealth's attorney, or county attorney; creates a new section of KRS Chapter 237 establishing reporting requirements for Kentucky State Police, Commonwealth's attorney, county attorney or the Department of Criminal Justice Training; creates a new section of KRS Chapter 237 granting the Department of Criminal Justice Training the power to revoke certifications of instructors for a period of five years after an administrative hearing; amends KRS 244.190 to require firearms seized in alcohol-

ACTIONS OF THE 2002 GENERAL ASSEMBLY

related cases to be turned over to the Kentucky State Police for disposition; permits the transfer of \$175,000 from the sale of confiscated weapons to the Kentucky State Police for the replacement of service firearms.

HB 98

AN ACT relating to the area comprising the West Kentucky Corporation.

Amends KRS 154.85-010 to include Green county in the area represented by the West Kentucky Corporation.

HB 103

AN ACT relating to the Medicaid outpatient pharmacy program and declaring an emergency.

Creates a new section of KRS 205.510 to 205.645 to create the Pharmacy and Therapeutics Advisory Committee and attach it to the Department for Medicaid Services; establishes the membership at 14 members, 12 of whom shall be licensed and practicing physicians or pharmacists in Kentucky, to be appointed by the Governor, except that, of these 12 members, the Governor shall appoint one member from a list of three nominees received from the President of the Senate and one member from a list of three nominees received from the Speaker of the House; requires the committee to act in an advisory capacity to the Governor, the Cabinet for Health Services, and the Medicaid commissioner on the development and administration of an outpatient drug formulary, to perform drug reviews and make recommendations on prior authorization, provide for an appeals process, and establish bylaws for the conduct of meetings; provide for a quorum of seven members; requires the committee to meet every other month or upon the call of the chair, the cabinet secretary, or the Governor; requires the committee to function in accordance with the Kentucky Open Meetings Law and the Kentucky Open Records Law; requires posting on the web site of agenda within 72 hours prior to a specially called meeting; requires posting on the web site of options and recommendations relating to drug review and drug review placement within seven days prior to next regularly scheduled meeting and as soon as practicable prior to a specially called meeting; requires recommendations of the committee to the secretary to be posted on the web site within seven days of the date of the meeting at which the recommendation was made; requires the secretary to act on any recommendation within 30 days of the date that it was posted on the web site; permits any interested party to request to make a presentation to the board; requires the secretary's final determination to be posted on the web site; requires appeal to be made in accordance with KRS Chapter 13B, except that the time for filing the appeal shall be within 30 days of the date of the posting of the secretary's final determination on the web site; provides for reimbursement of members' travel expenses associated with attending meetings; requires the Cabinet for Health Services to promulgate administrative regulations relating to the committee; amends KRS 205.5631 to amend the definition of "new drug" and to delete the definition of "available"; amends KRS 205.5632 to provide that a new drug shall be exempt from prior authorization, subject to specified conditions; provides for review within 75 days for new drugs requiring prior authorization because the drugs are in a specific class that has been deemed as requiring prior authorization; deletes provisions requiring drugs of comparable clinical application, efficacy, and safety of a nonprior authorized drug to also be placed on the nonprior authorized drug file; amends KRS 205.5634 to delete the provision that the commissioner may prior authorize drugs due to safety or financial burden reasons; amends KRS 205.2638 to require the Drug

ACTIONS OF THE 2002 GENERAL ASSEMBLY

Management Review Advisory Board to recommend, rather than establish, standards for the identification of suspected fraud and abuse, and deletes the requirement that the board advise the Department for Medicaid Services on outpatient drug coverage; provides that the Drug Management Review Advisory Board may advise the department as to the effectiveness of all interventions used to manage a particular disease over time, the stage and intensity of the disease, and the economic, clinical, and patient-prospective outcomes, including quality of life; confirms Executive Order 2001-1243, dated October 2, 2001, to the extent it is not otherwise confirmed or superseded; and provides for the initial appointments to the committee; EMERGENCY.

HB 106

AN ACT relating to transportation.

Amends KRS 186.412 to require the Transportation Cabinet to implement a statewide voluntary child identification program for children ages two to 15; requires a Social Security number and proof of the child's date of birth for the ID application; requires the ID card to contain the child's name and the number of the Kentucky Missing Person Clearinghouse, Kentucky State Police; prohibits the card from containing the child's Social Security number; requires a fee of \$4 to be charged for the card, using \$2 of the fee for the cabinet for equipment and supplies and \$2 for the Administrative Office of the Courts to use to hire additional deputy clerks and enhance deputy clerk salaries; requires the card to expire every four years on the child's birthday; permits IDs to be updated with a current photo and information at a cost of \$4, with the fee to be distributed evenly between the cabinet and the AOC; requires that the descriptive data and a photo image of the child be stored in the Kentucky Driver's License Information System and permits access to agencies subject to the provisions of the Federal Driver Privacy Protection Act and the Kentucky Missing Persons Clearinghouse; requires a delayed effective date of January 1, 2003, for the implementation of the child identification program; directs the cabinet to request a waiver from the Federal Highway Administration to use pigmented binder materials in a demonstration project at a school crosswalk; upon the waiver being granted, directs the Senate Veterans, Military Affairs, and Public Protection Committee to direct the cabinet where to conduct the demonstration project.

HB 109

AN ACT relating to reorganization.

Amends KRS 42.013 and 42.014 to transfer the Office of Legal and Legislative Services and the Office of Management and Budget from within the cabinet to the Office of the Secretary of the Finance and Administration Cabinet; amends KRS 42.017, 42.018, and 12.020 to conform; confirms gubernatorial Executive Order 2001-794, dated June 25, 2001.

HB 110

AN ACT relating to education.

Amends KRS 160.725 and requires Kentucky high schools to provide access to campuses and to student directory information for official recruiting representatives of the U.S. Armed Forces, Kentucky Air National Guard, Kentucky Army National Guard, and the service academies of the U.S. Armed Forces; requires Kentucky high schools to provide the student directory information by September 30 of each year.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 112

AN ACT relating to waiver of postsecondary tuition for dependents of veterans.

Creates a new section of KRS Chapter 164 to add the definition of “resident” as it relates to college tuition waiver programs for deceased veterans’ dependents; authorizes promulgation of administrative regulations by the Kentucky Department of Veterans’ Affairs relating to the eligibility criteria for applicants; amends KRS 164.507 to allow a tuition waiver to dependents of veterans who were married to a resident of Kentucky at the time of death.

HB 115

AN ACT relating to waiver of tuition for dependents of veterans.

Creates a new section of KRS Chapter 164 and provides tuition waivers for dependents of veterans who acquire a disability as a direct result of the veteran’s service; amends KRS 164.515 to conform.

HB 120

AN ACT relating to training of property valuation administrators.

Amends KRS 132.590 relating to the training and compensation of property valuation administrators to specify that the annual incentive of \$687.67 per calendar year for each 40 hour training unit successfully completed shall be based on continuing service in that office and require completion of at least 40 hours of training each subsequent year; prohibits property valuation administrators from receiving more than one (1) training unit per calendar year or more than four (4) incentive payments per calendar year; allows property valuation administrator to carry forward up to forty (40) hours of training credit into the following calendar year for the purpose of satisfying the minimum amount of training for that year; requires Kentucky Revenue Cabinet to promulgate administrative regulations to establish guidelines for the approval and certification of training units.

HB 126

AN ACT relating to the provision of health care services in the schools.

Creates new section of KRS Chapter 156 to require the Department of Education (KDE) in cooperation with the Department for Public Health (KDPH) to provide contract services or identify resources for the improvement of student health services including standardized protocols and guidelines for health procedures to be performed by health professionals and school personnel relating to documentation of notification of the provision of health services by a school employee and certification of medical necessity, documentation of informed consent by a parent or guardian, technical assistance and development of quality improvement measures for boards of education, facilitation of state and local data collection and reporting of health services, and information on providing health services; establishes a position to assist in carrying out the responsibilities of the Act through the use of existing personnel or by contracting for personal service of a registered nurse who holds a BA in nursing and an MA in nursing or a related field with the costs of the position to be shared by the KDE and KDPH through a memorandum of agreement; defines “health services” and “school employees”; requires that health services shall be provided by a physician or a nurse licensed to practice under KRS Chapter 314 or a school employee who is delegated responsibility by physician or nurse to perform service and has consented and received training and approval in writing by the delegating physician or nurse and adds requirement that delegated responsibility is valid only for the current school year; provides

ACTIONS OF THE 2002 GENERAL ASSEMBLY

that a person delegated responsibility to perform health services shall not have the administration of health services in his or her contract or job description; provides that if no school employee is trained and approved, the district shall make arrangements for health services to ensure student attendance or participation until appropriate school personnel is delegated responsibility; provides that a school employee properly delegated the responsibility is an agent of the school and granted protection from liability under federal law unless actions are negligent or constitute willful or criminal misconduct, or a conscious, flagrant indifference to the rights and safety of the individual harmed; provides that the Act does not deny rights to attend public school or to receive school services, or limit the administration of emergency first aid or procedures; and requires the KDPH to provide 50% of costs of position, and provide information, assistance and support to the education school nurse consultant and the KDE; prohibits duplication of services or duties between KDE and KDPH.

HB 130

AN ACT relating to video voyeurism.

Creates a new section of KRS Chapter 531 to create the crime of video voyeurism when a person videotapes a person in various sexual acts or states of undress without the person's permission as a Class D felony; creates a new section of KRS Chapter 531 to exempt telephone companies, television stations, and Internet providers from provisions of statute; creates a new provision of KRS Chapter 531 to require destruction of videotapes and other material violating the statute; requires that the victim or victims of video voyeurism must make a motion for sealing the records, to provide a burden of proof, and to provide a hearing procedure.

HB 131

AN ACT relating to the Kentucky Higher Education Student Loan Corporation.

Amends KRS 164A.080 to raise the bonding authority of the Kentucky Higher Education Student Loan Corporation to \$1,950,000,000 from \$950,000,000.

HB 133

AN ACT relating to crimes and punishments.

Creates a new section of KRS Chapter 531 defining the crime of voyeurism and providing a penalty of a Class A misdemeanor.

HB 136

AN ACT relating to insurance.

Amends KRS 304.12-110 to change the value limit for prizes, goods, wares, merchandise, or property that may be offered by insurers, agents, surplus lines brokers, and solicitors to insureds, prospective insureds, or others from \$10 to \$25.

HB 142

AN ACT relating to the parole of prisoners.

Amends KRS 439.340, relating to parole, to provide notice to victims and next of kin of initial consideration for parole; provides that further notice of consideration for parole be made by the Parole Board; provides that a victim or next of kin may opt not to receive notice of further consideration for parole and may rescind that option.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 143

AN ACT relating to ceding concurrent civil and criminal jurisdiction of various locations to the United States and declaring an emergency.

Creates a new section of KRS Chapter 3 to grant concurrent civil and criminal jurisdiction to the federal government for the federal correctional institution at Manchester and to any additional federal correctional institutions in Martin and McCreary Counties; EMERGENCY.

HB 144

AN ACT relating to juvenile justice.

Amends KRS 15A.065 to establish responsibilities of the Department of Juvenile Justice; creates a new section of KRS Chapter 15A to prevent an employee of the Department of Juvenile Justice from having to testify outside the county of that employee's assigned work station, unless the court finds that the employee is a necessary witness for trial; amends KRS 605.090 to provide for the detention of a child charged with the commission of a capital offense or with an offense designated as a Class A or Class B felony; amends KRS 610.200 to limit the placing of young children in juvenile detention facilities; creates a new section of KRS Chapter 610 to establish the circumstances under which a parent pays the detention costs for a child; amends KRS 635.100 to establish recapture procedures for a child who escapes from custody; creates a new section of KRS 635.500 to 635.545 to make confidential certain communications relating to a juvenile's sex offender treatment; amends KRS 635.505 to exclude mentally retarded juveniles from the definition of "juvenile sexual offender"; amends KRS 635.510 to establish treatment for a juvenile sexual offender; amends KRS 635.515 to establish treatment for a juvenile sexual offender; creates a new section of KRS Chapter 640 to establish custodial arrangements for youthful offenders; amends KRS 640.030 to provide for sentencing of a youthful offender.

HB 145

AN ACT relating to juvenile justice.

Amends KRS 15A.067, relating to the division of juvenile services, to delete reference to detaining juveniles for an indeterminate period; amends KRS 15A.200, relating to definitions, to delete the requirement that the Department of Juvenile Justice consult with other agencies with regard to training of juvenile staff and shorten the detention period of a child charged with a public offense from 72 hours to 24 hours; amends KRS 15A.210 to eliminate the requirement for the department to consult with the detention facilities standards committee prior to promulgating administrative regulations; requires administrative regulations which are promulgated which increase costs to nondepartmental facilities to identify those costs and funding sources; amends KRS 15A.220, relating to requirements for secure juvenile detention facilities, to eliminate the terms secure juvenile detention facility and juvenile holding facility; permits the department to order counties operating juvenile detention facilities within 30 days of notice by the department to do so; amends KRS 15A.230, relating to inspection of juvenile detention facilities, to require annual inspections of all facilities; amends KRS 15A.300, relating to local juvenile delinquency prevention councils to request and receive nonpersonal juvenile statistical information; amends KRS 15A.305, relating to the juvenile detention plan, to delete requirement that funds appropriated for the purposes of the section be used only for facilities defined in KRS 15A.200; deletes requirement to promulgate administrative regulations; amends KRS 605.080, relating to transportation of children, to specify that a child may be transported by a parent or guardian with

ACTIONS OF THE 2002 GENERAL ASSEMBLY

permission of the cabinet and permits the cabinet to transport or pay for the transportation of children; amends KRS 605.095, relating to transfer of children, to provide for alternatives to secure detention for children committed as public offenders or youthful offenders; amends KRS 605.110, relating to medical care and education of children committed to the cabinet, to add children in the custody of the cabinet; amends KRS 605.130, relating to the general duties of the cabinet, to delete reference to KRS 605.090; amends KRS 610.010 relating to the jurisdiction of the juvenile court in juvenile matters, to eliminate the holding of traffic offenders in secure detention facilities or juvenile holding facilities prior to their 18th birthday at which time they are to be transferred to an adult detention facility; amends KRS 660.120, relating to review, continuation, and disposition orders, to add reference to KRS 635.515; amends KRS 610.280, relating to considerations and findings for juvenile detention, to make technical correction; amends KRS 635.020, relating to criteria for determining how a child is to be tried, to eliminate detention of youthful offenders in secure detention facilities; permits detention in a "program" to require return of youthful offender to Circuit Court rather than automatic transfer to adult facility upon turning 18; amends KRS 635.060, relating to options of court at dispositional hearing, to specify when specific sanctions may be imposed by a court; establishes preference for placement of juveniles in home county and provides for notice to judges, school superintendents, and case workers when placed in another county; amends KRS 635.085, relating to imposition of fines, to specify that a child who does not pay a court ordered fine can be detained in a program as well as a juvenile detention facility; provides new language that specifies when and to whom the division of placement services shall provide offender records; specifies that the department of juvenile justice shall provide offender records to school superintendents when the department places the child in that school district; amends KRS 600.010 to include new language under the policy statement of the General Assembly to reflect that the department shall, to the extent possible, treat children as close to their homes as possible; repeals, amends, and reenacts KRS 15A.314, relating to Cabinet for Health Services records, as a new section of KRS Chapter 194A and makes technical correction; repeals KRS 15A.245, relating to the detention facility standards committee; repeals KRS 15A.250 and 15A.260, relating to the local alternatives to detention fund and its use.

HB 146

AN ACT relating to juvenile justice and declaring an emergency.

Amends KRS 610.060 relating to formal juvenile proceedings to specify when a child has a right to counsel and under what circumstances the child may waive his or her right to counsel; requires that a child be represented by counsel when that child is charged with an offense for which the court intends to impose detention or commitment as a disposition. EMERGENCY.

HB 152

AN ACT relating to manufactured housing.

Amends KRS 227.550 to define "dealer" as not including a manufacturer, a bank or lending institution with regard to disposition of its own repossessed manufactured housing, and a licensed real estate agent who acts as a negotiator and does not acquire ownership or possession for resale purposes of three or more manufactured homes in any consecutive twelve (12) month period.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 154

AN ACT relating to the Kentucky Law Enforcement Council.

Amends KRS 15.330 to permit the Kentucky Law Enforcement Council to develop voluntary career development programs for certified peace officers and telecommunicators.

HB 156

AN ACT relating to the Law Enforcement Foundation Program Fund.

Amends KRS 15.440, relating to participation in the Kentucky Law Enforcement Foundation Program Fund (KLEPF), to specify that a sheriff's department does not lose participation in the fund if the elected sheriff does not participate personally in the fund; amends KRS 15.400 and KRS 15.470 to conform.

HB 157

AN ACT relating to peace officer certification.

Amends KRS 15.386, relating to peace officer certification categories, to add definitions of training deficiency status and denied status; specifies length of retraining following being inactive; amends KRS 15.388, relating to training of persons in precertification status, to clarify when a person achieves certification status; amends KRS 15.392, relating to separation from service, to add revocation or denial to exceptions from situations where certification shall be placed on inactive status and specifying that certification lapses if the person has not successfully completed basic training; amends KRS 15.404, relating to basic and in-service training, to specify what happens when a certified officer does not complete in-service training within the specified time period, plus extensions; amends various sections of KRS Chapter 15 to correction section number references.

HB 163

AN ACT relating to the Kentucky Group Health Insurance Board.

Amends KRS 18A.226 to add six additional members to the Kentucky Group Health Insurance Board and sets forth the qualifications for the six additional members.

HB 165

AN ACT relating to insurance licenses of individuals and business entities licensed under Subtitles 9 and 10 of KRS Chapter 304.

Amends various sections of Subtitles 9 and 10 of KRS Chapter 304 pertaining to licensing of insurance agents and business entities; amends KRS 304.2-160, 304.2-220, 304.4-040 to include administrator, reinsurance intermediary broker or manager, rental vehicle agent or managing employee, specialty credit producer or managing employee, and viatical settlement broker or provider; amends KRS 304.9-020 to change the definitions of "agent," define "insurance producer," and delete the definition of "general lines agent"; amends KRS 304.9-030 to define "personal lines"; amends KRS 304.9-035 to provide that licensed individuals designated by a business entity to exercise the entity's agent license shall be deemed agents of the insurer if the entity holds an appointment from the insurer; amends KRS 304.9-040 to change "general lines consultant" to "property and casualty consultant" and redefine; amends KRS 304.9-051 to change the definition of "administrator" and delete definitions of "insurance" and "insurer"; amends KRS 304.9-052 to change "corporation or firm" to "business entity"; deletes provision on suspension or revocation of license of administrator; deletes provision on

ACTIONS OF THE 2002 GENERAL ASSEMBLY

appointment of Secretary of State as agent for nonresident administrator; amends KRS 304.9-070 to clarify the definition of adjuster; amends KRS 304.9-080 to require a consultant to be licensed; requires a license of rental vehicle agents and managing employees and specialty credit producers and managing employees; amends KRS 304.9-085 to make technical changes concerning managing general agents; amends KRS 304.9-090 to make technical changes and delete exemption from licensing those employees of an agent or insurer who respond to requests from policyholders if the employees are not directly compensated based on premium volume; amends KRS 304.9-100 to make technical changes and exempt rental vehicle insurance and limited line credit insurance from application of the statute; amends KRS 304.9-105 to require applicants for an agent's license to prove financial responsibility by errors and omissions coverage, cash, cash surety bond, or an agreement that the insurer assumes responsibility in an amount not less than \$20,000 per occurrence and not less than \$100,000 in the aggregate; amends KRS 304.9-130 to make technical changes pertaining to a business entity acting as an agent; authorizes the commissioner to require additional information or submissions from applicants for a license; amends KRS 304.9-135 to change definitions and to delete requirement that the consumer sign or initial the statement provided by a financial institution regarding the consumer's free choice of agent or insurer; requires prior disclosure to the consumer and the opportunity to prevent disclosure, rather than written consent, before a financial institution can release a consumer's insurance information; restricts the release of a consumer's insurance information by a financial institution; restricts a financial institution's advertisement or promotional materials; requires a financial institution to use separate documentation for all credit and insurance transactions when a consumer obtains credit and insurance from the financial institution; prohibits a financial institution from including an expense of insurance premiums in a credit transaction; requires the financial institution to maintain separate and distinct books and records relating to insurance transactions; amends KRS 304.9-140 to direct the commissioner to waive any requirements for a nonresident license applicant with a valid license from another state if the state treats Kentucky applicants the same; requires surrender of Kentucky license upon termination of license in other state; amends KRS 304.9-150 to require application to show whether applicant was convicted or is currently charged with a crime, or has a tax delinquent obligation, or has child support arrearages or is subject to a child support subpoena or warrant; amends KRS 304.9-170 to exempt from prelicensing education and examination a licensee whose license lapsed if the renewal fee is paid within 12 months of the date the renewal fee is due and a penalty fee is paid; amends KRS 304.9-200 and 304.9-210 to make technical changes; amends KRS 304.9-230 to permit limited license for surety and travel insurance and delete authorization for limited license for mechanical breakdown insurance; prohibits new issuance of limited licenses for motor vehicle physical damage and mechanical breakdown insurance but allow current licenses to continue; creates a new section of Subtitle 9 of KRS Chapter 304 to establish requirements for business entity license; amends KRS 304.9-260 to establish new license renewal procedures beginning January 1, 2003; requires an individual licensee to confirm the licensee is in compliance with the financial responsibility requirements when a renewal request is made; allows a waiver request for licensees unable to comply with license renewal procedures due to military service, long-term medical disability, or some other extenuating circumstance; amends KRS 304.9-270 on appointment of agents and effective term of appointment; amends KRS 304.9-295 to make continuing education apply to all licensees who hold an agent license and are not exempt by statute; provides that upon failure to comply with continuing education for a line of authority the license is to be surrendered and to be reissued as

ACTIONS OF THE 2002 GENERAL ASSEMBLY

to the line of authority still in effect; amends KRS 304.9-330 to require applicants for license as a consultant to prove financial responsibility by errors and omissions coverage, cash, or cash surety bond in an amount not less than \$20,000 per occurrence and not less than \$100,000 in the aggregate; amends KRS 304.9-370 to make technical changes; amends KRS 304.9-390 to permit place of business to be maintained in office of an insurer, an employer, or residence of licensee; deletes requirement that address of place of business appear on license; amends KRS 304.9-400 and 304.9-410 to make technical changes; amends KRS 304.9-425 to prohibit paying a fee to a nonlicensed individual for referral of a consumer; permits payment of compensation to an individual not licensed to sell insurance for referral of a consumer to a licensed individual only if the consideration is paid regardless of whether the insurance coverage is sold to the consumer; amends KRS 304.9-430 to require an adjuster applicant to be financially responsible; amends KRS 304.9-432 to make a technical change; amends KRS 304.9-440 to include viatical settlement brokers and providers; creates a new section of Subtitle 9 of KRS Chapter 304 to require licensee to notify commissioner if license to conduct insurance and other named businesses is terminated in this state or any other state; requires reporting of any administrative actions and criminal complaints against licensee; amends KRS 304.9-705 to make technical changes concerning reinsurance intermediary brokers; amends KRS 304.10-120 on surplus lines broker to delete requirement of representing at least three insurers to be licensed and requirement of at least five property and casualty appointments to be renewed; amends KRS 304.10-140 to allow insurers issuing financial responsibility coverage for surplus lines brokers to include deductibles; amends KRS 304.10-170 and 304.10-180 to require surplus lines brokers to file quarterly reports rather than annual reports; amends KRS 304.12-100, 304.12-110, and 304.12-140 to make technical changes; amends KRS 304.12-150 to prohibit the creditor or lender from collecting a separate charge for handling insurance required in connection with a loan or extension of credit based on the consumer's choice of agent or insurer; amends KRS 304.12-170 to prohibit a licensee from using any insurance information to his or her advantage and to the detriment of the consumer or insurer or any licensee; amends KRS 304.32-120 to delete provision on renewal of agent's license when the fee is paid by a corporation or agent; repeals and reenacts KRS 304.32-180 to require an agent of the corporation to be licensed as an agent with a health line of authority and complete continuing education; amends KRS 304.32-270 to make corporations subject to Subtitle 9; repeals and reenacts KRS 304.38-110 to require an agent of the health maintenance organization to be licensed as an agent with a health line of authority and complete continuing education; repeals and reenacts KRS 304.48-100 to require the agent of a liability self-insurance group to be licensed as an agent with property and casualty lines of authority and complete the continuing education requirements; amends KRS 304.99-020 and 304.99-100 to make technical changes; provides that appointment of an agent may be renewed by an insurer after expiration of the appointment if the request and late payment for renewal is accompanied by a penalty equal to the amount of the biennial renewal fee; allows for reissuance of expired license if the request and late payment for reissue is accompanied by a penalty equal to the amount of the biennial renewal fee; amends KRS 304.9-240 to make a technical change; repeals KRS 304.9-136 on compensation for referral of consumers, KRS 304.9-142 on fees charged out-of-state individuals or business entities, KRS 304.9-490 on exemption for banks, KRS 304.12-170 on using insurance information to the detriment of another, KRS 304.32-190 appointment of agents, and KRS 304.32-200 on revocation of agent's license.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 166

AN ACT relating to economic development.

Amends KRS 154.10-050 to include under the secretary's duties priority for economic development initiatives in counties with an unemployment rate of 15% or greater; amends KRS 154.12-207, concerning eligibility criteria for the Bluegrass State Skills Corporation grant-in-aid program, to set wage and benefit requirements at 150% of the federal minimum wage plus benefits of 15% of the applicable base hourly wage for 90% of the participants, from a \$7 wage provision in the original bill, if the business is located in a county with 15% or greater unemployment; amends KRS 143.12-2084 concerning eligibility criteria for the Bluegrass State Skills Corporation training tax credit program, to set wage and benefit requirements at 150% of the federal minimum wage plus benefits of 15% of the applicable base hourly wage from \$7 in the original bill, if the business is located in a county with 15% or greater unemployment; amends KRS 154.20-170 to provide that the Kentucky Economic Development Finance Authority give priority consideration to economic development initiatives in counties with an unemployment rate of 15% or greater.

HB 170

AN ACT relating to Medicaid dispensing fees and declaring an emergency.

Amends KRS 205.561 to require report on dispensing medications to Medicaid eligible recipients by October 31, 2003, and every three years thereafter; requires the report to include information on drug acquisition costs and fees paid by third party payors, and on the effectiveness of managing drug costs; requires the report to be reviewed by a pharmacy and therapeutics advisory committee that may be established; requires research study to include factors that influence dispensing and acquisition costs and requires a sufficient sample size for study validity, comparison of differences in fees and costs among other states' Medicaid programs and commercial payors, and requires a reasonable fee for dispensing prescription medications determined by findings of the research study, other states' reimbursement, and reimbursement used by commercial payors. EMERGENCY.

HB 171

AN ACT relating to liens.

Amends KRS 376.010 relating to mechanics' and materialman's liens to provide for a 75 day notice provision for homeowner liens.

HB 174

AN ACT relating to environmental protection.

Amends KRS 224.43-010 relating to policies of the Commonwealth to state priorities of citizen education, proper collection and disposal, elimination of illegal open dumps, closing of abandoned landfills, and litter abatement on roads; defines environmental remediation fee, transfer station, and public road; provides that the fee be collected at transfer stations and landfills; provides that the fee be \$1.75 per ton on waste; provides that if fee is collected at transfer station it is not to be collected at landfill; provides for a conversion formula for volume to weight; creates Kentucky Pride Fund and funds it with a \$25 to \$30 million bond, the proceeds (approximately \$9 million) from the \$1.75 environmental remediation fee (ERF), \$2.5 million from the road fund, \$2.5 million from the highway construction contingency fee, and provides for the use Kentucky Pride funds as follows: \$2.5 million from the ERF to fund debt service on

ACTIONS OF THE 2002 GENERAL ASSEMBLY

bonds; \$2.5 million from ERF to be used to identify and characterize out-of-service, abandoned landfills for closure; \$25 to \$30 million from bond proceeds to be used to close out-of-service landfills; interest in the fund and unused debt service to fund up to \$1 million annually for environmental education; balance of funds from ERF not allocated above to be used by counties to eliminate illegal open dumps (on a 75/25%) matching basis (100% to counties with mandatory collection program); \$5 million to counties and cities for litter cleanup on federal, state, county and city public roads; \$750,000 to the cabinet for administration; and provides that the cabinet plan for elimination of open dumps, closure of inactive, abandoned landfills, and projects and practices consistent with policy; provides that statewide plan not establish limits on disposal capacity; requires a report on status of open dumps and out-of-service landfill closure; requires each management district to report annually to the cabinet on progress, including public campaigns to promote participation in collection service and anti-littering programs and other data relating to waste collection and elimination of open dumps, and cost data on related programs; amends KRS 224.43-315 relating to universal collection programs to provide that unstaffed convenience centers may be included, and provides for collection of data relating to universal collection; provides for exclusion of commercial or industrial participation if they are in compliance with law; amends KRS 224.43-345 to provide that plans be in conformity with the goals of the act, and identify open dumps and clean up public roads in the county three times per year and two times per year in the in the cities; provides that 60% of litter fines go to the county and 40% go to agency issuing citation; provides that county solid waste coordinators have enforcement power relating to litter laws and provides for prepayment of litter fines; makes technical conforming amendments; creates a new section of subchapter 43 of KRS Chapter 224 to provide that the court of competent jurisdiction of a county which is the subject of an action by the cabinet shall be the venue for appeal of the cabinet's actions; repeals statutes to conform.

HB 175

AN ACT relating to sheriffs' fees.

Amends KRS 64.090 to allow sheriffs to collect fee of \$20, unless a commission, percentage or reasonable fee is otherwise specified, when the person requesting the service is not an agent of the commonwealth, while keeping the fees charged to the state unchanged and clarifies that Department of State Police is agency of the state and that fees chargeable to the department by the sheriff remain the same.

HB 184

AN ACT relating to the Department of Corrections.

Amends KRS 196.160 to implement a corrections employee career retention program, including a provision for periodic increases in base pay for each two years of additional service in corrections (up to ten years total) in addition to ordinary pay increases otherwise granted.

HB 188

AN ACT relating to protecting the public safety when licensing an operator of a motor vehicle.

Amends KRS 186.010 to amend the definition of "resident" to mean a person who has established Kentucky as their place of domicile and to provide that proof of residency shall include, but not be limited to a deed or property tax bill, utility agreement or utility bill, or rental housing agreement; and creates a new definition of a "special status individual" to include

ACTIONS OF THE 2002 GENERAL ASSEMBLY

persons who are refugees, asylees, have a K-1 immigration status, or have an immigration status known as paroled in the public interest; creates a new section of KRS 186.400 to 186.640 to require a licensed driver who becomes a Kentucky resident to apply for a Kentucky driver's license in the office of the circuit clerk where the licensed driver lives within thirty days of establishing residency; requires the circuit clerk to verify the new resident's driving status through the National Drivers' Register before issuing the person a Kentucky driver's license; provides that a person who is not a U.S. citizen, but who is a Kentucky resident and who has been granted permanent resident status by the INS shall follow the same procedures for applying for a driver's license as a person who is a U.S. citizen; amends KRS 186.412 to require persons applying for a driver's license or a nondriver identification card that do not have a Social Security number to provide with the application either a federal tax identification number, a letter from the Social Security Administration declining to issue the person a Social Security number, or a notarized affidavit from the person to the Transportation Cabinet swearing that the person either does not have Social Security number, or refuses to divulge his or her Social Security number, based upon religious convictions; permits that the application must also be accompanied by proof of the person's residency; requires permanent residents to present either an I-551 card issued by the INS or a form with a photograph of the applicant, or a passport with a photograph, that is stamped by the INS as temporary evidence of lawful admission for permanent residence, with an expiration date and authorizing employment; requires under KRS 186.412 that if a person is not a United States citizen and the person has not been granted permanent residency status, the person must apply for their first Kentucky driver's license at either the Transportation Cabinet in Frankfort or one of the cabinet's field offices; requires the person's application to be accompanied by his or her INS documentation authorizing them to be in the U.S.; provides that if a person has been granted entrance to the states for ninety days to marry a U.S. citizen (K-1 status) the application must be accompanied by an original or certified copy of the person's completed marriage license signed by the official who presided over the marriage ceremony and two witnesses, and the person's petition to enter the U.S. for the purpose of marriage that contains the name of the prospective spouse; if the name of the prospective spouse on the petition does not match the name of the spouse on the marriage license, the Transportation Cabinet shall not be required to issue an operator's license; provides for the cabinet to review the INS documentation within fifteen days, but if further review is necessary, grants the cabinet up to thirty days to determine if the applicant will be issued a Kentucky driver's license and if the cabinet determines the applicant may be issued a license, the person is given a form to take to the circuit clerk who also reviews all the person's documentation; permits issuance of a Kentucky driver's license if the applicant successfully completes the written and/or skills examinations as required, and his or her documentation is in order; provides that after the initial review of INS documentation by the Transportation Cabinet, a person goes to the office of the circuit clerk in the county where they live to renew their driver's license; requires persons whose immigration status changes to apply for renewal with the Transportation Cabinet or one of its field offices; amends KRS 186.412 further to provide that if an applicant does not have a Social Security number, or the applicant has submitted an affidavit objecting to the use of their number based upon religious convictions, the Transportation Cabinet will issue the applicant a unique identifying number; provides that persons applying for a nondriver's identification card to provide the same information as is required for a driver's license, but does allow a person to use as proof of residency a signed letter from a homeless shelter, health care facility, or social service agency currently providing the person treatment or services; provides for driver's licenses and

ACTIONS OF THE 2002 GENERAL ASSEMBLY

nondriver's identification cards to be issued for four years unless the person is not a U.S. citizen, has not been granted permanent resident status, or is not a special status individual, in which case the license or nondriver's identification card will be issued for the length of time his or her INS documentation is issued, or four years, whichever is shorter; provides that if the person's INS documentation is issued for an indefinite period of time, the person will be issued a two year license; prohibits the issuance of a nondriver's identification card if the person holds an instruction permit or driver's license; provides that if the person's permit or license has been suspended or revoked, the person is permitted to be issued a temporary nondriver's identification card that must be surrendered when the person applies to have their permit or license reinstated; amends KRS 186.570 to authorize the Transportation Cabinet to suspend or deny a driver's license to any person who presents false or misleading information as to the person's residency, citizenship, religious convictions, or immigration status; creates a new section of KRS Chapter 186 to establish the persons required to take a written and/or skills test prior to being issued an instruction permit or driver's license; makes conforming amendments to KRS 186.410, 186.430, 186.440, and 186.480; repeals KRS 186.413 relating to an outdated color process used to issue a driver's license before Kentucky began issuing a digitized license.

HB 189

AN ACT relating to protecting the public safety when licensing operators of commercial motor vehicles and declaring an emergency.

Amends KRS 281A.010 to delete the definition of "foreign" and to amend the definition of "resident" to mean a person who has established Kentucky as their place of domicile and to provide that proof of residency shall include, but not be limited to a deed or property tax bill, utility agreement or utility bill, or rental housing agreement; creates a new section of KRS Chapter 281A to require persons initially applying for, or renewing, a commercial drivers license to undergo a state and national criminal history background check; permits a person to continue enrollment in a driver training school if the results of their background check have not been returned within 72 hours; provides that the final status of whether the applicant will be able to retain his or her CDL will not be determined until the results of the background check are available to the Transportation Cabinet; creates a new section of KRS Chapter 281A to permit a person who is not a resident to apply for a Kentucky CDL if the person is currently enrolled in a truck driving program through a private commercial school or through the Kentucky Community and Technical College System; amends KRS 281A. 140 to require a person applying for a duplicate CDL to apply in the office of the circuit clerk and to provide the clerk with a proof of his or her identity and a notarized affidavit with a raised seal explaining in detail the loss or destruction of the original CDL; provides that a person applying for a second or subsequent duplicate within the time period for which the original CDL was issued to apply to the Transportation Cabinet or one of the field offices; requires the person to provide proof of his or her identity and a notarized affidavit with a raised seal explaining in detail the loss or destruction of the previous duplicate issued; authorizes the Transportation Cabinet to take up to 30 days to determine if the person will be issued a second or subsequent duplicate CDL; amends KRS 281A. 150 to establish a fee of \$40 for the first duplicate CDL issued and \$60 for a second or subsequent duplicate applied for within the time period for which the original CDL was issued; amend KRS 281A.160 to permit the State Police to authorize third parties to administer the skills test for a CDL; requires a third party to enter a written agreement with the State Police that the State Police shall determine who will administer the skills test if the third party offers a program

ACTIONS OF THE 2002 GENERAL ASSEMBLY

on commercial truck driving; requires the State Police to promulgate administrative regulations establishing procedures to ensure an “arms-length” relationship is maintained between third party testers and owners, officers, or employees of any program offering commercial truck driver training; amends KRS 281A.170 to add a new restriction on a CDL labeled “14” which restricts a commercial driver to operating vehicles equipped with an automatic transmission if the person took his or her skills test in a vehicle with an automatic transmission; requires a person wanting to remove a “14” restriction from his or her license to conduct another skills test in a commercial vehicle equipped with a manual transmission; creates a new section of KRS Chapter 281A to require persons initially applying to renew a CDL or adding an endorsement after September 30, 2002, to apply for the renewal thirty days prior to the expiration date on the license to ensure the criminal history background check can be completed prior to the expiration of the license; makes conforming amendments to KRS 281A.120, 281A.130, and 281A.180; repeals KRS 281A.200 which grandfathered in drivers under the CDL requirements when the provisions were enacted in 1992; EMERGENCY.

HB 190

AN ACT relating to protecting the public safety involving commercial driver training and declaring an emergency.

Amends KRS 165A.310 to amend the definition of “cabinet” to mean the Finance and Administration Cabinet and to add new definitions for “CDL,” “CDL driver training,” “CDL driver training school,” “Classification,” “Commercial Motor Vehicle,” “Endorsement,” “Restrictions,” and “Resident”; creates a new section of KRS Chapter 165A to require all proprietary schools located in, or doing business in, this state that offer commercial truck driving programs to be governed by the State Board for Proprietary Education; provides that the curriculum for commercial truck driving programs to be established by the state board in consultation with the State Police and the Kentucky Community and Technical College System; requires driver training schools to have their facilities inspected by the State Police; creates a new section of KRS Chapter 165A to require all persons applying for a license to run a commercial driver training school, or be an instructor at the school, to undergo a state and national criminal history background check; requires applicants to submit fingerprints to the State Police; requires the state board to promulgate administrative regulations specifying offenses and conditions under which an applicant will be denied a license based upon the background check; creates a new section of KRS Chapter 165A to require all commercial driver training schools to offer a minimum of 160 hours of instruction and to use the curriculum developed by the state board in consultation with the State Police and the Kentucky Community and Technical College System; establishes a ratio of students to instructors for classroom instruction, off-the-road training, and on-the road training; requires all commercial driver training schools to require all students to undergo a drug test at the time of enrollment; repeals KRS 332.020 and reenacts it as a new section of KRS Chapter 165A to establish guidelines on persons that shall be prohibited from being connected in any capacity with a commercial driver training school; repeals KRS 332.030 and reenacts it as a new section of KRS Chapter 165A to require the state board to pay the State Police an amount not to exceed the actual cost to inspect and investigate commercial driver training schools; requires the State Police to investigate the information contained in an application to open a commercial driver training school to verify the information, as well as to inspect the school’s facilities to verify they meet state standards; repeals KRS 332.080 and reenacts it as a new section of KRS Chapter 165A to require

ACTIONS OF THE 2002 GENERAL ASSEMBLY

commercial driver training schools to maintain student records in the same manner student records are maintained by the Kentucky Community and Technical College System under KRS Chapter 171, and to make the records available for inspection by the state board; repeals KRS 332.100 and reenacts it as a new section of KRS Chapter 165A to specify the matters the state board must promulgate regulations to govern commercial driver training schools; repeals the following sections of KRS Chapter 332 and reenacts them as sections of KRS Chapter 165A and makes conforming amendments to the provisions of: KRS 332.040, 332.050, 332.060, 332.070, 332.090, 332.110, and 332.990; amends KRS 186.895 to require the Transportation Cabinet to annually report to the Governor and Legislative Research Commission on the motorcycle safety education fund; creates a new section of KRS Chapter 186 to prohibit the Transportation Cabinet from deducting administrative costs from the motorcycle safety education fund; requires the cabinet to report monthly to the Interim Joint Committee on Appropriations and Revenue on the motorcycle safety education fund; repeals KRS 332.010 relating to outdated definitions; requires all commercial driver training schools and instructors to comply with the new provisions when applying to renew their licenses in 2002; EMERGENCY.

HB 191

AN ACT relating to independent institutions of postsecondary education.

Amends KRS 164.011 to define “independent institution”; amends KRS 164.003 to include finding that recognizes independent institutions’ contribution to the state; amends KRS 164.020 to extend authority of the Council on Postsecondary Education (CPE) to ensure against unnecessary duplication of services and programs of independent institutions, to maximize cooperation, receive annual report from the Association of Independent Kentucky Colleges and Universities (AIKCU), and to consider the capacity and function of independent institutions to meet needs of the state and use resources for contracts to enable institutions to meet the needs; amends KRS 164.021 to add the president of AIKCU to the membership of the advisory conference of the CPE; amends KRS 164.746 to add the president of AIKCU to the membership of the Kentucky Higher Education Assistance Authority; and amends KRS 164.751 and 164.947 to change “nonpublic” to “independent” institution.

HB 193

AN ACT relating to crimes and punishments.

Amends KRS 434.840, 434.845, 434.850, 434.855, and 434.860 relating to unlawful access to a computer, to amend various definitions and to make conforming amendments; adds definitions of “device,” “effective consent,” “loss or damage,” and “owner”; removes altering or damaging a computer as an element of unlawful access to a computer in the first degree; requires that a person must act without the effective consent of the owner to be guilty of unlawful access to a computer; increases penalty for unlawful access to a computer in the second degree to a Class D felony; creates two new sections of KRS Chapter 434 establishing crimes of unlawful access to a computer in the third and fourth degrees and establishes a range of penalties therefor; amends KRS 520.100 to expand the crime of fleeing or evading police in the second degree to include a pedestrian fleeing a peace officer when the pedestrian creates a substantial risk of physical injury to any person.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 194

AN ACT relating to constitutional officers of the General Assembly.

Amends KRS 6.230 to provide per diem increases for the various constitutional officers of the General Assembly; makes increase effective as of January 1, 2002.

HB 196

AN ACT relating to reorganization.

Confirms Executive Order 2001-1322 by transferring the Kentucky Early Intervention System (KEIS) from the Department for Mental Health and Retardation to the Commission for Children with Special Health Care Needs and creating a new Division of Health and Development and Division of Quality Outcomes Management within the Commission for Children with Special Health Care Needs.

HB 199

AN ACT relating to credit cards.

Creates a new section of KRS 367.46951 to 367.46999 to prohibit telemarketers from contacting credit card issuers to obtain credit card account numbers, and to prohibit credit card issuers from providing credit card account numbers to a telemarketer.

HB 202

AN ACT relating to foster and adoptive children.

Adds a new section of KRS Chapter 164 specifying legislative intent to support foster parenting, adoption, and postsecondary education; amends KRS 164.2847 to specify that tuition waiver for foster and adopted children applies to undergraduate programs and may include part-time students; clarifies eligibility requirements and adds that an out-of-state adopted student may be eligible for waiver up to in-state tuition costs; sets requirements for participation by Department for Juvenile Justice foster children; requires confirmation of eligibility status by state agencies; permits student participation in federal work study program; requires state agencies to report on the number of students participating in tuition waiver program; requires Council on Postsecondary Education to report nonidentifying data on graduation rates; clarifies that postsecondary institutions shall not be restricted from accessing other sources of financial assistance for the foster or adopted student; amends KRS 605.090 to require the Cabinet for Families and Children and the Department of Juvenile Justice to inform foster parents or child placing agencies of known inappropriate sexual behavior or any risk behaviors of the child prior to placement and require the child placing agency to inform individuals who have physical custody of the child; requires the state agencies to inform foster parents or child placing agencies if information becomes available after placement and requires child placing agencies to immediately inform individuals who have physical custody of the child; requires information disclosed to be limited to acts or behavior of the child and provides that disclosure of information shall not be a violation of confidentiality; prohibits foster parent or other person caring for the committed child to disclose information; provides that a violation of confidentiality is a Class B misdemeanor.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 207

AN ACT relating to the regulation of interior designers and architects.

Creates new sections of KRS Chapter 323 to permit the State Board of Examiners and Registration of Architects to certify interior designers who meet requirements in this chapter; defines the board's responsibilities for issuing certificates and for administering the certification process; includes home builders, home designers, certified kitchen designers, certified bath designers, or certified master kitchen and bath designers as persons not subject to the provisions of this chapter; allows the board to promulgate administrative regulations to establish education, experience, and testing requirements for certification; amends KRS 323.150, 323.170, and 323.200 to increase board membership to include one certified interior designer; imposes penalties for falsifying an application for certification, renewal, and the improper use of the title "Kentucky certified interior designer" for those not certified; makes the changes in the board membership effective July 15, 2003.

HB 218

AN ACT relating to sheriffs' expenses.

Amends KRS 64.140 relating to advancements to sheriffs to defray official expenses and the payment of salaries to sheriffs and their deputies and assistants by increasing the maximum monthly amount from thirty thousand dollars (\$30,000) to sixty thousand dollars (\$60,000); adds language to clarify that the advancements made to a sheriff and the liabilities associated with the sheriff are in his or her official capacity; adds provision to specify that a sheriff shall not be required to submit a detailed statement of his or her personal assets and liabilities when requesting funds from the state treasury to defray official expenses.

HB 231

AN ACT relating to military burial honors and declaring an emergency.

Creates new sections of KRS Chapter 40 and establishes a burial honor guard program for veteran's funerals; establishes the "Veterans' Service Organization Burial Honor Guard Trust Fund" to offset the cost of providing burial honor guards; authorizes the Department of Veterans' Affairs to promulgate administrative regulations and to coordinate efforts with the Department of Military Affairs, veterans' service organizations, Kentucky veterans and their dependents, the Kentucky Funeral Directors' Association, the United States Army Reserve, and the Casualty Assistance Commands of Fort Campbell and Fort Knox to expand the number of veterans' funerals where military burial honors are given; authorizes local school boards to provide academic credit and excused absences for secondary students participating in the burial honor guard program; creates a new section of KRS Chapter 158 authorizing local school boards to provide academic credit and excused absences for secondary students participating in the burial honor guard program; establishes an effective date of July 1, 2002.

HB 232

AN ACT relating to the lottery.

Creates a new section of KRS 154A to require that lottery vending machines be placed in lottery retailer employees' line of sight, except where the machines are located in factories, package liquor stores, or in bars or taverns where persons 18 years of age are not permitted access; provides that upon finding a violation of this Act, the lottery corporation must notify a lottery retailer and give the retailer 30 days to correct the violation; provides that if the violation

ACTIONS OF THE 2002 GENERAL ASSEMBLY

is not corrected after 30 days, then the vending machines will be removed from the retailer; exempts blind persons who operate vending machines as part of a program established by federal or state law from the provisions of this Act.

HB 243

AN ACT relating to revenue and taxation.

Amends KRS 132.820 to provide that unmined coal, oil and gas reserves, and other mineral or energy resources are assessed as a distinct interest in real property, separate and apart from the surface real estate unless the unmined coal, oil and gas reserves, and other mineral or energy resources are owned in their entirety by the surface owner and the surface owner is neither engaged in the severance, extraction, processing, or leasing of the mineral or other energy resource nor is he an affiliate of a person who engages in those activities, and the surface is being used by the surface owner primarily for the purpose of raising for sale agricultural crops, including planted and managed timberland, or livestock or poultry; amends KRS 141.050 to provide that changes to federal income tax law made after the Internal Revenue Code reference date contained in KRS 141.101(3) shall not apply for purposes of this chapter unless adopted by the General Assembly.

HB 244

AN ACT relating to environmental protection.

Amends KRS 224.46-580, relating to the hazardous waste management fund, to change the sunset date for collection of the hazardous waste management fee to June 30, 2004, from June 30, 2002; exempts from the hazardous waste management fee assessment emission control dust and sludge from the primary production of steel that is recycled by high temperature metals recovery or managed by stabilization of metals.

HB 249

AN ACT relating to the discipline of professionals.

Amends KRS 315.121 to allow the Kentucky Board of Pharmacy to promulgate administrative regulations to define minor violations and to permit pharmacists sanctioned for minor violations to request the board to expunge violations from permanent records after three years; permits boards that license individuals under KRS 320.310, KRS Chapter 311, and KRS Chapter 313 to promulgate administrative regulations to define minor violations and to permit the professionals who have been sanctioned for minor violations to apply to their respective boards to have sanctions expunged from their permanent records after three years have lapsed; requires licensing boards under KRS 315.121, KRS 320.310, KRS Chapter 311, and KRS Chapter 313 to allow an individual's records to be expunged only once.

HB 251

AN ACT relating to election officers.

Amends KRS 117.045 to provide that a minor who is seventeen years old and will become eighteen years old on or before the day of the regular election may serve as an election officer for the primary and general election in which he or she is qualified to vote; provides that no precinct shall have more than one person serving as an election officer who is a minor seventeen years of age; creates a new section of KRS Chapter 158 to provide that students who

ACTIONS OF THE 2002 GENERAL ASSEMBLY

serve as election officers shall be granted one day of excused absence for each election day served.

HB 254

AN ACT relating to special license plates.

Creates a new section of KRS Chapter 186 to create a special PTA license plate; establishes initial and renewal fees for the plate; provides for additional moneys to be collected from the sale of the plate and disbursed for use by PTAs.

HB 258

AN ACT relating to the Department of Military Affairs and declaring an emergency.

Creates as a short title, the "Antiterrorism Act of 2002"; creates a new section of KRS Chapter 39A to create legislative findings; amends KRS 39A.050 to require the Office of Emergency Management to coordinate with the Office of Homeland Security, the State Department, the Federal Aviation Administration, and the Centers for Disease Control and Prevention to assess the threat of and the Commonwealth's capacity for responding to acts of war or terrorism and defines types of terrorism; develops a statewide plan and assessment for responding to acts of war or terrorism; develops a strategy to address how funds will be allocated to respond to terrorist incidents; to establish as a goal to exceed minimum federal requirements for state and local governments receiving assistance, and to make the Commonwealth a preeminent national leader in terrorism preparedness; amends KRS 39A.070 to require the Adjutant General to develop a statewide plan and needs assessment for responding to acts of war or terrorism; creates a new section of KRS Chapter 39A to require the Adjutant General to establish an interagency working group to identify risks and needs and assess preparedness to respond to acts of war or terrorism; requires a report to the Governor, the Legislative Research Commission, and the Interim Joint Committee on Seniors, Military Affairs, and Public Safety prior to December 31, 2002; requires the working group to develop and implement statewide strategies to respond to acts of war or terrorism; provides information as to how individuals and organizations can prepare for terrorist incidents; annually assess the capacity for readiness to respond to acts of war or terrorism; EMERGENCY.

HB 260

AN ACT relating to motor vehicles.

Amends KRS 190.033 to provide that the insurance coverage mandated for motor vehicle dealers by this section shall be in excess of and secondary to the insurance coverage of a customer or other person, for their own negligence, in circumstances where the customer or other person is loaned a motor vehicle while the customer or other person's vehicle is out of use due to breakdown, repair, or servicing; amends KRS 304.20-065, to extend the requirement of coverage on a loaned motor vehicle during repair or servicing to include coverage for bodily injury and property damage liability.

HB 261

AN ACT relating to the practice of occupational therapy.

Amends various sections of KRS Chapter 319A to include licensure in the occupational therapy board's title; changes certification to licensure for therapists and therapy assistants; redefines occupational therapy to include the practice of and services provided by the profession;

ACTIONS OF THE 2002 GENERAL ASSEMBLY

requires supervision of unlicensed aides; changes representation on the board; provides for annual election of the board leadership; clarifies the board's duty to seek injunctions; clarifies licensing requirements; permits the board to promulgate administrative regulations to determine training and instruction criteria, to set fees, and to specify supervision of unlicensed personnel; deletes the provision that members of the board shall be immune from personal liability based on acts performed in good faith; includes computer-based examinations; removes statutory reference to preclude "grandfathering" licensees; requires evidence of competence for licensure renewal; provides for inactive license status; increases the fine for violation of the statute; includes "goal directed activities" as a means for restoring some types of impaired performance abilities; deletes psychological impairments as a focus of intervention; requires individuals who deliver deep physical agent modalities to meet the requirements in this chapter; allows in scope of practice accessory joint mobilization therapy; prohibits spinal or pelvic adjustment therapy and visually related treatment plans associated with electronic or assistive technology low vision devices; allows certain visual therapy services in accordance with written instructions of optometrists or ophthalmologists; identifies Franklin Circuit Court as location for injunctions; repeals KRS 319A.130.

HB 270

AN ACT relating to cellular communications and declaring an emergency.

Amends KRS 100.324 relating to regulation of utilities by the Public Service Commission to delete provision relating to siting of antenna towers in county containing a city of the first class, requiring that local planning commission review the application, and that Public Service Commission not grant permit until the local planning commission issues decision or sixty days elapse; amends KRS 100.985 relating to definitions for cellular telephone service to delete reference to certificate of convenience and necessity, to require conformity with act; defines antennas or related equipment; amends KRS 100.987 relating to local planning processes to delete exclusion for county containing a city of the first class, deletes reference to submission of certain applications to Public Service Commission, and provides for local planning commission approval of applications; provides for notification of Public Service Commission within ten working days of approval by local planning commission; provides for appeals to court of competent jurisdiction of final action of a local planning commission; creates a new section of KRS 100.985 to 100.987 to set forth prohibitions relating to local planning commission approvals of cellular towers, requires that application fees not exceed cost of processing up to a maximum of \$2,500, prohibits raising fees after July 15, 2002; creates a new section of KRS 100.985 to 100.987 to specify contents of a uniform application for citing of a cellular tower, provides for local government notification, provides for considerations which are to be considered for application, favors location of antennas on existing structures; amends KRS 278.650 to delete existing provisions for local planning commission approval and Public Service Commission approval; specifies that applications for cellular tower citing outside the jurisdiction of a local planning commission be submitted to the Public Service Commission for a certification of public convenience and necessity; provides for holding a hearing on the application if requested by a local governing body or three interested persons; permits a local government to charge a fee for a building permit in connection with the construction or alteration of a structure for cellular communications services; amends KRS 278.665 relating to Public Service Commission administrative regulations to apply them to antenna towers for areas outside the

ACTIONS OF THE 2002 GENERAL ASSEMBLY

jurisdiction of a planning commission; repeals KRS 278.660 relating to confidentiality of uniform applications and updates; EMERGENCY.

HB 273

AN ACT relating to the submission of documents regarding Kentucky permits and taxes.

Creates a new section of KRS Chapter 352 to allow licensed certified public accountants and licensed attorneys to act as agents for their clients and complete, sign and submit applications for seller's permits for Kentucky use tax collections, general business licenses, and employer's withholding tax, corporation income tax, and corporation license tax registration numbers; amends KRS 139.240 to allow the application for a seller's permit to be signed by a licensed certified public accountant or a licensed attorney acting on behalf of the owner or business entity; amends KRS 143.030 to permit an authorized licensed certified public accountant and licensed attorneys to act as the agent of an individual or business entity applying for a certificate of registration.

HB 279

AN ACT relating to death certificates.

Amends KRS 213.076 to require diabetes to be listed in the appropriate location on a death certificate if diabetes was an underlying cause of death or a contributing condition.

HB 280

AN ACT relating to income tax.

Amends KRS 141.010 to exclude from income tax any amount paid to provide vouchers for the purchase of health insurance.

HB 281

AN ACT relating to health insurance.

Creates new sections of Subtitle 17A of KRS Chapter 304 to authorize the formation of insurance purchasing outlets; sets forth definitions, licensing, registration, and administrative requirements, and application and approval procedures; enumerates specified duties and permitted activities of an insurance purchasing outlets; establishes rate-making procedures and restrictions; sets forth the process for issuing and redeeming insurance purchasing outlet vouchers; amends KRS 304.47-020 to include the failure to make disposition of a voucher a fraudulent insurance act; states that on or after January 1, 2003, the maximum variation of health insurance policies shall revert to twenty-five percent (25%) of the index rate; creates a new section of Subtitle 17A of KRS Chapter 304 subjecting insurance purchasing outlets to numerous Subtitles of Chapter 304; makes technical changes.

HB 282

AN ACT relating to classified school employees.

Amends KRS 161.011 to add high school certificate of completion as an acceptable credential to meet qualifications as a classified school employee.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 283

AN ACT relating to medical assistance.

Amends KRS 205.6312 to require the Cabinet for Health Services to institute nominal copayments for Medicaid services provided to recipients over the age of 18, including prescription and over-the-counter drugs; establishes exemptions; requires copayments to apply to services provided by prepaid health plan programs; authorizes the cabinet to promulgate administrative regulations; limits the copayment amount for prescription and over-the-counter drugs to one dollar.

HB 286

AN ACT relating to the Department for Facilities Management.

Amends KRS 42.027 to direct implementation of a comprehensive real properties and facilities management database, and to specify responsibility for effective planning and efficient operations of state facilities.

HB 292

AN ACT relating to Education Assessment and Accountability Review Subcommittee and declaring an emergency.

Amends KRS 158.645 to require that the membership of the Education Assessment and Accountability Review Subcommittee include four members from each chamber, including at least one member of the minority party in that chamber; provides that a majority of the membership shall constitute a quorum and all actions authorizing a study, dropping a study, or adopting a final report on any subject under study shall require the affirmative vote of a majority of the full subcommittee membership; allows all other actions of the subcommittee to be undertaken by a simple majority vote; permits the subcommittee to meet monthly at a time and place determined by the co-chairs; EMERGENCY.

HB 293

AN ACT relating to the provision of thermal vision devices to fire departments.

Creates a new section of KRS 95A defining purposes of the thermal vision grant program; creates a new section of KRS 95A making the Commission on Fire Protection Personnel Standards and Education responsible for the thermal vision grant program; creates a new section of KRS 95A defining the commission's duties and responsibilities for the thermal vision grant program; creates a new section of KRS 95A designating fire departments eligible for the thermal vision grant program, application procedures, and penalties.

HB 296

AN ACT relating to student loans.

Creates new section in KRS 164.740 to 164.785 to require state agencies that issue professional or occupational licenses, certification or registration not to issue a new license or renew a license for those applicants who have defaulted on the repayment obligations to financial aid programs administered by the Kentucky Higher Education Assistance Authority in KRS Chapters 164 and 164A; defines "licensing agency"; requires the authority to declare default; allows a licensing agency to require an applicant for licensing to certify that he or she is not in default; states conditions under which the licensing agency can license with verification of authority; requires authority and licensing agency to enter into agreement on exchanging

ACTIONS OF THE 2002 GENERAL ASSEMBLY

information on borrowers; requires notice of repayment and a list of consequences and time frames for responding and negotiating repayment obligation; requires the authority to notify the licensing agency when satisfactory payment plan has been negotiated; amends KRS 154A.060 and KRS Chapter 164 to require that the Kentucky Lottery Corporation and the authority develop a system that provides names of borrowers in default so that prize winnings can be claimed, transferred to the authority and credited to the account of the borrower.

HB 297

AN ACT relating to municipal elections.

Amends KRS 83A.040 to clarify that if a person is elected or appointed to the office of mayor in response to a vacancy for a period less than four calendar years, the period the mayor serves shall not be considered a term of office for reelection purposes.

HB 302

AN ACT relating to the Kentucky Board of Respiratory Care.

Amends KRS 314A.110 to permit those who have held a registered or certified respiratory therapist credential to be eligible for mandatory certification; permits a respiratory therapist applying for mandatory certification who received his or her certified respiratory therapist credential or registered respiratory credential prior to July 1, 2002, to retain his or her respective designation; requires a therapist who obtained his or her credential after July 1, 2002, to retain his or her respective designation if the therapist fulfills continuing competency program requirements; permits a therapist who receives his or her credential after July 1, 2002, to be designated solely as a respiratory care practitioner; amends KRS 314A.225 to set out the disciplinary actions the board may take and the grounds for such action; permits a person whose certification has been revoked to apply for reinstatement one year after revocation; designates that the surrender of a certificate does not serve to deprive the board of jurisdiction to proceed with disciplinary actions under this chapter; amends KRS 314A.010 and 314A.220 to conform.

HB 305

AN ACT changing the classification of the City of Stanford, in Lincoln County.

Reclassifies the City of Stanford, population 3,430, from a city of the fifth class to a city of the fourth class.

HB 308

AN ACT relating to sexual assault response.

Amends KRS 216B.400 to permit reimbursement for sexual assault examinations, basic treatment, and laboratory cultures and tests performed by out-of-state nurses, hospitals, or physicians if the sexual assault occurred in Kentucky; amends KRS 314.011 to require sexual assault nurse examiners to maintain a current credential from the Board of Nursing; amends KRS 314.142 to require the Board of Nursing to promulgate an administrative regulation addressing procedures for obtaining input from the Sexual Assault Response Team Advisory Committee prior to proposing amendments to regulations; creates a new section of KRS Chapter 403 to require the Governor's Council on Domestic Violence and Sexual Assault to create a Sexual Assault Response Team Advisory Committee; specifies membership and duties of advisory committee; requires the advisory committee to make recommendations to the Council on Domestic Violence and Sexual Assault.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 309

AN ACT relating to retirement.

Amends KRS 16.505 to clarify that lump sum payments for annual leave are not creditable compensation regardless of when paid and provide updated definition of delayed contribution payment; amend KRS 16.645 to provide a reference to a new provision for survivor payments of less than \$1,000; amends KRS 61.510 to clarify that lump sum payments for annual leave are not creditable compensation regardless of when paid and to provide updated definition of delayed contribution payment; amends KRS 61.545 to provide updated definition of delayed contribution payment and to describe the process for revising reported time and service purchases when an audit indicates an error; amends KRS 61.552 to restrict beneficiary purchase of member's service based on IRC rules, make technical changes to identify vesting requirements for service purchases, update definition of delayed contribution payment; provides for suspension of installment payments for periods of military leave or sick leave without pay; allows purchase of service by rollover of any plan permitted under federal rules; clarifies several minor provisions; allows purchase of service as a domestic relations commissioner by paying a delayed contribution payment; amends KRS 61.555 to allow credit of military duty based on a time limit between termination and entry into the military; allows for both service and salary for retirement purposes; deletes prohibition from purchasing military service if eligible for a military pension; updates the definition of a delayed contribution payment and allows employees age 65 or older who have at least fifteen years of service to purchase up to four years of military active service for 50% of the delayed contribution payment if the member notifies the system by December 31, 2002; amends KRS 61.590 to clarify that a member may file for retirement more than one month in advance of his or her intended retirement date and allow the systems to void a retirement if the member fails to select a payment option within six months after termination; amends KRS 61.595 to make several technical corrections and to increase the amounts under which a recalculation is not necessary; amends KRS 61.600 to provide that a person previously denied disability because of the pre-existing disease of poliomyelitis may be reconsidered for disability if the person has at least ten years of service and if the member applies to the systems by December 31, 2002; amends KRS 61.635 to clarify that when an estate is a beneficiary, the estate will only receive a one-time payment and to provide the partial lump sum option, with or without survivor rights, as a new retirement allowance option; amends KRS 61.637 to delete obsolete language, to clarify that reciprocal benefits and medical insurance are to be repaid by the employee if the employee is reemployed in the same job within six months and to provide that a person retired on disability who has the disability discontinued shall have his or her accounts combined upon reemployment; amends KRS 61.645 to allow the system to create and operate its own personnel system without limitation of or by other statutes and to promulgate regulations to structure, to contract without limitation for medical or technical services, to acquire goods; allows for creation of an appeals committee; changes the systems' operating officer from the general manager to an executive director and allows the executive director to function and be compensated without limitation of KRS 18A, 45A, and 64.640 and to appoint employees deemed necessary without limitation of KRS Chapter 18A; amends KRS 61.650 to allow the board exclusive power to invest and reinvest funds, notwithstanding any other statute, and to establish an investment committee to establish and implement policies; amends KRS 61.680 to clarify provisions on combining service in all systems to qualify for retirement and provide that payment of retirement allowance not begin until all forms to all affected systems are processed; amends KRS 61.690 to remove language about retirement benefits and marital

ACTIONS OF THE 2002 GENERAL ASSEMBLY

property; amends KRS 61.701 to clarify affected federal provisions; amends KRS 61.705 to clarify vesting requirements; creates a new section of KRS Chapter 61 to provide an abbreviated procedure for survivor claim of accounts under \$1,000; amends KRS 78.510 to clarify that lump sum payments for annual leave are not creditable compensation regardless of when paid and provide updated definition of delayed contribution payment; amends KRS 78.606 to delete obsolete provisions on payment for service purchases of noncertified employees of school boards; amends KRS 78.615 to clarify that a day refers to a calendar day, that those affected must be employees, and to set a deadline of one year for notification to the system of preferred service calculation method; amends KRS 78.616 to clarify that school boards may pay for sick leave only as provided under the statutes governing sick leave programs; amends KRS 78.625 to require reports to be filed by the twentieth of the month; amends KRS 78.545 to provide a reference to a new provision for survivor payments of less than \$1,000; amends KRS 61.5525 to make conforming internal reference change.

HB 314

AN ACT relating to the coordination of local government finance.

Creates a new section of KRS Chapter 68 to allow a county, which prior to attaining 30,000 population levied an occupational license fee, to not be required to credit occupational license fees paid to the city against occupational license fees owed to the county after the county population exceeds 30,000; prohibits the county from eliminating a credit for occupational license fees paid to a city after the county reaches 30,000 if the county voluntarily granted a credit under the terms of an ordinance or agreement prior to the effective date of the Act; requires a county to allow a credit against county occupational license fees for occupational license fees paid to the city after the county exceeds 30,000 in population if the county enacts a new occupational license fee or allows a credit up to the amount of any increase in the current fee after the effective date of the Act; requires that a county population shall be based on the official decennial census.

HB 320

AN ACT relating to reorganization.

Confirms Executive Order 2001-1411, relating to the Department of Military Affairs, and creates the Office for Security Coordination; amends KRS 36.010 to conform.

HB 325

AN ACT relating to motor vehicle taxes.

Amends KRS 138.450 to define "loaner or rental motor vehicles"; amends KRS 138.4605 to clarify that the loaner vehicle tax applies to loaner or rental motor vehicles; creates a flat \$25 per month tax on such vehicles in lieu of current 6% rate; directs the Revenue Cabinet to administer the tax instead of Transportation Cabinet; provides that vehicles no longer covered shall be taxed under KRS 138.450(12).

HB 327

AN ACT relating to the Office of Women's Physical and Mental Health.

Amends KRS 194A.095 to permit the Office of Women's Physical and Mental Health to accept gifts, grants, and bequests.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 330

AN ACT relating to the Kentucky Education Excellence Scholarship Program.

Defines “base scholarship amount” as amount earned based on grade point average; redefines “eligible high school student” to require enrollment in a Kentucky high school for at least 140 days of the school term and at the end of the academic year and to provide for students who complete high school graduation requirements at the end of the fall academic term; clarifies the definitions of “grade point average” and “high school”; requires a high school to report the grade point average of a student who completed graduation requirements in the fall term by January 15th.

HB 332

AN ACT Relating to School Employees.

Amends KRS 161.760 to eliminate specific dates for notification of reductions in teacher salaries or changes in teacher responsibilities in order to create uniform notice periods for school districts operating on year-round and traditional calendars; clarifies that the 150-day notice period established in the bill is calculated from the first student attendance day.

HB 333

AN ACT relating to assault in the third degree.

Amends KRS 508.025, relating to assault in the third degree, to include transportation officers appointed by a county to transport prisoners while the officer is performing job related duties.

HB 334

AN ACT changing the classification of the City of Crestwood, in Oldham County.

Reclassifies the City of Crestwood, in Oldham County, population 2,216, from a city of the sixth class to a city of the fifth class.

HB 338

AN ACT relating to body armor.

Amends KRS 16.220, relating to provision of body armor grants, to include public university safety and security departments organized pursuant to KRS 164.950; amends KRS 45A.047, relating to disposition of firearms owned by a state agency, to include public university safety and security departments; provides that body armor grant funds may be used for service animals; requires that only specified law enforcement agencies may purchase body armor for service animals.

HB 339

AN ACT relating to continuing care retirement communities and declaring an emergency.

Amends KRS 216B.335 to authorize continuing care retirement communities to establish nursing home beds until July 31, 2004; amends KRS 216B.339 to require the Cabinet for Health Services to collect data regarding any change in the number of each type of bed in continuing care retirement communities between July 14, 2000, and October 31, 2003; requires the cabinet to submit a report to the President of the Senate and the Speaker of the House of Representatives, the chair of the Senate Standing Committee on Health and Welfare, and the chair of the House Standing Committee on Health and Welfare addressing the impact of establishing nursing home

ACTIONS OF THE 2002 GENERAL ASSEMBLY

beds by continuing care retirement communities on the Medicaid budget, consumer access, and providers of long-term care prior to the beginning of the 2004 General Assembly; EMERGENCY.

HB 340

AN ACT relating to the designation of the official state outdoor musical.

Creates a new section of KRS Chapter 2 to name and designate the Stephen Foster Story as the official outdoor musical of Kentucky.

HB 343

AN ACT relating to reorganization.

Amends KRS 12.020 to create within the Workforce Cabinet the Offices of the Workforce Partnerships, the Budget and Administrative Services, Technology Services, and the Quality and Human Resources and abolish the Offices of the Development and Industry Relations, Administrative Services, Policy and Budget, and Personnel Services; amends KRS 151B.020 to do the same and to create the Division of Fiscal Services in the Office of Budget and Administrative Services, and abolishes the Divisions of Facilities Management, Fiscal Services, and Computer Services, amends KRS 161.220 to conform.

HB 344

AN ACT relating to special districts.

Amends KRS 65.065 and 65.070 to change the filing dates of required special district budget information and other descriptive information on the special district to the fiscal court and county clerk within sixty (60) days following the close of the fiscal year; deletes reference to a district budget required for submission and replaces with a "summary" financial statement; requires districts to submit for review a copy of the audit within thirty (30) days with the fiscal court of each county with territory in the district.

HB 346

AN ACT relating to milk marketing.

Repeals KRS 260.675, 260.680, 260.690, 260.705, 260.715, 260.720, 260.725, 260.730, 260.735, 260.740, 260.750, 260.755, 260.760, and 260.991, relating to the Milk Marketing Law; amends KRS 355.9-408 to conform.

HB 348

AN ACT relating to workers' compensation.

Amends KRS 342.315 to conform to the consensus procedure applicable to coal workers' pneumoconiosis (black lung) claims; amends KRS 342.316 to require x-rays submitted with a claim to be interpreted by a National Institute of Occupational Health and Safety (NIOSH) certified "B" reader; requires employers to give notice of denial or acceptance of a claim within 30 days of the commissioner issuing a notice of consensus reading unless the consensus reading is that no evidence of coal workers' pneumoconiosis (CWP) exists; requires that within 45 days of a claim being assigned to an administrative law judge (ALJ), the employer shall cause the employee to be examined by a physician chosen by the employer, and the employer shall file with the commissioner an x-ray interpreted by a "B" reader; requires the employer's medical report to include spirometric test results if the employee alleges pulmonary dysfunction in the

ACTIONS OF THE 2002 GENERAL ASSEMBLY

application for benefits; requires the commissioner to determine whether x-rays submitted by the employee and the employer are in consensus as defined by this Act, and if not, to refer the x-ray films to three "B" readers, consecutively, in an attempt to achieve consensus; requires that the "B" readers be randomly selected from a list of "B" readers maintained by the commissioner; requires an ALJ, if consensus is not reached, to decide the claim on the evidence submitted; requires the consensus reading, when obtained, to be considered as evidence and presumed to be correct unless overcome by clear and convincing evidence; requires an ALJ who finds the presumption of correctness overcome by clear and convincing evidence to state those reasons in his or her order; requires an ALJ to issue a written determination within 60 days following a hearing unless the parties agree to do otherwise; requires the consensus procedure to apply to all claims except those assigned to an ALJ prior to the effective date of this Act; amends KRS 342.732 to revise eligibility criteria and benefit structure for CWP to provide retraining incentive benefits (RIB), one time only, for 104 weeks at a maximum rate of 75 percent of the state average weekly wage (SAWW), to an employee with an x-ray category of 1/0, 1/1 or 1/2 CWP and spirometric test values of 80% or more; provides an additional 17 weeks of RIB while an employee pursues a general equivalency diploma (GED); permits the receipt of RIB only while an employee is participating as a full-time (equivalent to 12 or more credit hours) or part-time (equivalent to 6-11 credit hours) student in an approved bona fide training or education program or while pursuing a GED; provides an employer paid incentive of \$5,000 or \$10,000 for successful completion of an approved training or education program; permits an employee to defer receiving RIB for up to 365 days following the 30th day after an ALJ's order becomes final; requires the commissioner, upon request of an employee, to refer the employee to the Department of Vocational Rehabilitation for assessment, evaluation, and services; permits an employee 57 years of age or older who is awarded a RIB, to receive income benefits for 425 weeks or until he or she reaches age 65, in lieu of training and education; requires the commissioner to promulgate administrative regulations relating to RIB; prohibits the payment of RIB while an employee is employed in the severance and processing of coal; creates an irrebuttable presumption of a 25% disability rating and provides income benefits for 425 weeks, not to exceed 75% of the SAWW, for an employee with an X-ray category of 1/0, 1/1 or 1/2 CWP and spirometric test values of 55% or more but less than 80% of predicted normal levels, or category 2/1, 2/2, or 2/3 CWP and spirometric test values of 80% or more of the predicted norm; permits an employee, one time only, to elect to receive RIB rather than the 25% CWP award; creates an irrebuttable presumption of a 50% disability rating and provides income benefits for 425 weeks, not to exceed 75% of the SAWW, for an employee with an X-ray category of 1/0, 1/1, or 1/2 CWP and spirometric test values of less than 55% of the predicted norm, or category 2/1, 2/2, or 2/3 CWP with spirometric test values of 55% or more but less than 80% of the predicted norm, or category 3/2 or 3/3 CWP with spirometric test values of 80% or more of the predicted norm; requires the commissioner to promulgate administrative regulations for the reconsideration and reopening of claims filed between December 12, 1996, and the effective date of this Act, claims with dates of last exposure between December 12, 1996, and the effective date of this Act, closed claims except those dismissed for other than medical reasons, and claims with dates of last exposure prior to December 12, 1996, but subject to a university medical school evaluation; and, establishes a new filing deadline for reopening or reconsidering such claims; creates a new section of KRS Chapter 342 to require the commissioner to maintain a list of "B" readers licensed in Kentucky and who have agreed to participate in the consensus procedure, and, in conjunction with the university medical schools,

ACTIONS OF THE 2002 GENERAL ASSEMBLY

to develop a procedure to annually report the performance of “B” readers to the Interim Joint Committee on Labor and Industry; creates a new section of KRS Chapter 342 to require coal employers to conspicuously post a notice informing employees of the education and training opportunities available under this Act and requires that the notice be posted on the web sites of the Department of Workers’ Claims and the Kentucky Community and Technical College System.

HB 350

AN ACT relating to agriculture.

Creates a new section of KRS Chapter 260 to establish an “Organic Certification Fund” in the State Treasury to be administered by the Department of Agriculture; amends KRS 260.020 to permit the Commissioner of Agriculture to promulgate administrative regulations for programs established under the Office for Agricultural Marketing and Product Promotion and to establish fees to administer the programs; amends KRS 260.030 to require the Office for Agricultural Marketing and Product Promotion to establish an Organic Agricultural Product Certification Program.

HB 353

AN ACT relating to access to asthma medications in schools.

Creates new sections of KRS Chapter 158 to permit public and private school students to self-administer asthma medications at school, on school property before or after normal school activities, and at school-sponsored activities when the school receives written authorization from the parent and health care provider; requires statements to be kept on file at the school; requires parent or guardian to sign a statement acknowledging that the school has no liability from any injury sustained by a student from self-administration of medication; requires permission to be effective for the school year and renewed each school year.

HB 357

AN ACT relating to boards of ethics of local governments.

Amends KRS 65.003 to permit cities and counties or agencies created jointly to enter into a memorandum of agreement for the creation of a joint code of ethics; specifies that the agreements may provide for administrative services relating to the implementation of the code of ethics; creates independent regional ethics boards that provide advice and enforcement of the ethics codes to member governments and permit contracts with area development districts for the provision of administrative services relating to the implementation of the codes; exempts non-paid members of jointly created agencies from filing financial disclosure statements.

HB 358

AN ACT relating to administration of trusts and estates.

Amends KRS 386.020 to allow fiduciaries holding funds for loan or investment to invest in certificates of deposit and savings accounts in excess of the limits of insurance of the Federal Deposit Insurance Corporation if such investments are fully secured by an irrevocable letter of credit issued by the United States of America or by an agency or instrumentality thereof, a pledge of securities named in KRS 386.020, a surety bond, or a combination of such irrevocable letters of credit, securities, and surety bonds.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 367

AN ACT relating to agriculture water quality.

Creates a new section of KRS Chapter 224 relating to the Agriculture Water Quality Act to grant confidentiality to documents submitted to a local conservation office and to a state agency; limits the documents that are granted confidentiality by excluding applications for financial assistance from the soil erosion and water quality cost share program; allows a court to review documents claimed as confidential to determine if the confidentiality is lost because of evidence of noncompliance; directs that the confidentiality granted by the Act shall not preclude disclosure of an agriculture operation's agriculture water quality plan to the Agriculture Water Quality Authority; directs that "bad actors" under the Act shall lose the confidentiality; allows a limited disclosure of statistical data that may arise from the documents.

HB 369

AN ACT relating to health insurance.

Amends KRS 18A.225 to require the group health insurance plan for state employees to include a mail order drug option for maintenance drugs; prohibits a health insurer from discriminating against any retail pharmacy located within the geographic coverage area of the health benefit plan and that meets the terms and conditions for participation established by the insurer; prohibits requiring such retail pharmacy from dispensing by mail; provides that the mail order option shall not permit the dispensing of a controlled substance classified in Schedule II.

HB 372

AN ACT relating to economic development and declaring an emergency.

Amends various sections of KRS Chapter 42 to abolish the Department for Coal County Development and return functions to the secretary of the Cabinet for Economic Development and KEDFA; amends KRS 65.680 to include new definitions related to the Kentucky Tax Increment Financing Act (TIF); amends KRS 65.682 to declare TIFs a public purpose; amends KRS 65.6851 to provide that a governing body establishing a development area that does not include Commonwealth revenues may impose an assessment against employee wages in the development area in an amount of up to 2% of gross wages, to be credited against an employee's local occupational license fee, if existing and not otherwise used as a credit against a job development assessment fee imposed under KEOZ, KJDA, or KIRA, for manufacturing and service or technology projects and amends to add an agency to those who can issue increment bonds; amends to add a definition of project costs; amends to change acceptable developments under KRS 65.6851 to those activities under the definition of project rather than limiting them to manufacturing and service technology projects; amends to allow those agencies that have established a development area prior to July 15, 2002, to continue to operate under applicable sections of KRS Chapter 65 prior to the effective date; amends KRS 65.6853 to provide that the total assessment against employees, whose wages are assessed for local tax increment financing together with KEOZ, KJDA, or KIRA shall not exceed six percent (6%), and that the assessment due to a governing body shall not exceed the lesser of two percent (2%) or the difference between two percent (2%) and the local occupational license fee used as a credit against the job development assessment fee granted under KEOZ, KJDA, or KIRA; amends KRS 65.684, KRS 65.6855, KRS 65.688, 65.692, and KRS 65.696 to conform for development areas that do not include Commonwealth revenues; amends KRS 65.686, regarding cities and counties, to establish a TIF development area; amends KRS 65.692 to clarify the use of increment bonds;

ACTIONS OF THE 2002 GENERAL ASSEMBLY

amends KRS 65.694 to conform; creates two new sections in KRS 65.680 to 65.699 to specify how a city or county or agency may apply to the Kentucky Economic Development Finance Authority (KEDFA) for approval of a development area or with the Cabinet for Economic Development for approval of a development and related project for determination of an economic development or tourism development project with requirements and a procedure for determining the state's portion of the increments and certification; amends KRS 103.210 to require prior approval by KEDFA of all KRS Chapter 103 industrial revenue bond issuance for industrial buildings; amends KRS 132.020 to conform; amends KRS 148.851 to delete provision that limits tourism attraction agreements to those on or before June 30, 2002; includes in the definition of tourism attraction "lodging facilities" that involve construction of a full service facility having not less than 500 guest rooms or lodging facilities that involve a restoration, rehabilitation, or upgrade project exceeding \$10,000,000; amends KRS 148.855 to require the Office of the State Budget Director, the Finance and Administration Cabinet, and the Revenue Cabinet to report whether there is a projected net positive impact to a project and, if so, to certify to the authority the amount of state revenue expected; amends KRS 148.859 to allow an additional extension of up to three years to an approved company that is building an entertainment destination center and allows for an increase in the approved costs incurred by the company under certain conditions; amends KRS 154.22-010 to include new definitions in the Kentucky Rural Economic Development Act (KREDA); amends KRS 154.22-040 relating to certification of KREDA counties to provide a third method for determining eligibility; establishes wage and benefit standards for approved companies; amends KRS 154.22-050 to delete references to a financing agreement and add incentive agreement; requires companies to recover inducements based on actual investments rather than debt service paid; amends KRS 154.22-010 to allow an economic development project to receive KREDA benefits if it is in an industrial park created under a interlocal agreement in which revenues are shared and if part of the park lies in a qualified county; requires regional industrial parks which lie within two or more counties to base wage and benefit requirements for KREDA on the average of the average county hourly wage in the park; amends KRS 154.22-060 to limit an inducement to the amount in the tax incentive agreement; amends KRS 154.22-070 to provide that the authority may consent to assessments by an affiliate of the approved company; creates a new section of KRS Chapter 22 to provide that the current KREDA projects are subject to current law and not the provisions of this Act; amends KRS 154.23-010 to include new definitions of the Kentucky Economic Opportunity Zone Act (KEOZ); amends KRS 154.23-015 to conform; amends KRS 154.23-025 to establish wage and benefit standards under this program and to allow for project eligibility to transfer to an acquiring company; amends KRS 154.23-030 and 154.23-035 to delete references to financing agreement and add incentive agreement; requires companies to recover inducements based on actual investments rather than debt service paid; amends KRS 154.23-045 and KRS 154.23-055 to conform; amends KRS 154.24-010 to include new definitions of the Kentucky Jobs Development Act (KJDA); amends KRS 154.24-090 to change the minimum employment required for a project from 25 to 15 full-time jobs; establishes wage and benefit standards under this program; amends KRS 154.24-110 to allow the authority to consent to assessments by an affiliate; amends KRS 154.24-120 and 154.24-140 to conform; amends KRS 154.28-010 to include new definitions of the Kentucky Industrial Development Act (KIDA); amends KRS 154.28-080 to establish wage and benefit standards under this program; amends KRS 154.28-090 to delete references to financing agreement and add tax incentive agreement; requires company recovery of inducements based on actual investment not on debt

ACTIONS OF THE 2002 GENERAL ASSEMBLY

service; amends KRS 154.28-110 to allow the authority to consent to assessments by an affiliate; creates a new section of Subchapter 28 of KRS 154 to allow current projects to be subject to current law and not the provisions of this Act; amends KRS Chapter 12 and 141.370 to conform; repeals various sections of the existing TIF statutes in KRS Chapter 65, KRS 154.22-090 and 154.28-120; EMERGENCY.

HB 376

AN ACT relating to the Kentucky Board of Nursing.

Creates new sections of KRS 314 to provide that if a nurse seeking relicensure sends a check that is dishonored by a bank and fails to pay the check and fee within 30 days of a written notice from the board, the board may immediately suspend the license until the check and fees are paid and permits the nurse to request an emergency hearing on the temporary suspension of the license; provides that, upon notice from the Cabinet for Families and Children that the nurse has violated KRS 205.712, the board is required to suspend an active license or deny an application for licensure and the board's order constitutes disciplinary action; provides that the suspension shall continue until the Cabinet for Families and Children notifies the board that the individual is no longer in violation of KRS 205.712 and provides that the nurse is not entitled to a hearing on the suspension; requires that all reinstatement requirements be met before the license can be reinstated; amends KRS 314.026 to delete the Nursing Incentive Scholarship Fund Committee and requires the board to make awards from the nursing incentive scholarship fund; establishes a Nursing Incentive Scholarship Fund Grant Review Committee to make recommendations to the board and specify membership; amends KRS 314.085 to require a licensee to submit to a mental health, chemical dependency, or physical evaluation by a practitioner designated by the board; amends KRS 314.089 to specify that an order of immediate, temporary suspension of a license remains in effect until reconsidered or superseded by the board; amends KRS 314.171 to rename the impaired nurses committee the alternative to discipline program, make technical corrections, and permit the program to order examination or evaluation of a potential applicant to the program; repeals KRS 164.2893.

HB 378

AN ACT relating to elections in cities whose boundaries extend beyond a single county.

Amends KRS 83A.047 to provide that, in the case of a candidate voted for by the electors of a city whose boundaries extend beyond those of a single county, each county clerk shall certify the vote totals for that candidate to the clerk of the other county into which the boundaries of the city extend; amends KRS 118.425 to provide that the county board of elections of the candidate's residence shall issue a certificate of election where the candidate was voted for by the electors of a city whose boundaries extend beyond those of a single county.

HB 381

AN ACT relating to searching for and rescue of lost persons.

Amends KRS 39F.180 relating to reporting of searches for lost and missing persons to clarify that there is no waiting period before a search for a lost or missing child or adult commences; requires public safety answering points to promptly relay missing persons calls to the agency specified in the county search and rescue plan; requires searches for persons with organic brain disorders to be reported immediately to the local emergency management director, local search and rescue coordinator, and duty officer of the Division of Emergency Management;

ACTIONS OF THE 2002 GENERAL ASSEMBLY

exempts long-term health care facilities from reporting searches for a missing patient until they call an outside search organization or 911 center.

HB 383

AN ACT relating to the Court of Justice.

Creates a new section of KRS Chapter 23A to abolish the position of domestic relations commissioner when a family court is created in the judicial circuit; creates a new section of KRS Chapter 24A to abolish the position of domestic relations commissioner when a family court is created in the judicial district; effective January 1, 2003.

HB 386

AN ACT relating to Kentucky's postsecondary education prepaid tuition program.

Amends KRS 164A.700 to add definitions and to clarify some existing definitions; amends KRS 164A.701 and 164A.703 to make technical changes; amends KRS 164A.704 to permit the board to develop, sponsor, and maintain a scholarship program if deemed feasible for financially disadvantaged families and students; amends KRS 164A.705 to clarify the procedures to be followed when a qualified beneficiary attends an eligible educational institution for which payment is not guaranteed in whole or in part; amends KRS 164A.707 to clarify the payment of tuition contracts; amends KRS 164A.709 to clarify the payment procedures and value of accounts when a prepaid tuition contract is terminated, including providing that if a purchaser cancels an account before it matures, the purchaser would receive the payments made, minus any administrative and cancellations fees and providing that the board may refund a rate of interest as well.

HB 387

AN ACT relating to real property.

Amends KRS 411.190 and 413.010 to prohibit sole recreational users from bringing an action to assert prescriptive easement, right-of-way, or adverse possession; adds a new section to authorize a property owner to construct a landing strip for private use of two aircraft if the person lives in a county with a population of 30,000 or greater and the person owns at least 1,500 contiguous acres; requires the landing strip to meet FAA requirements; prohibits local governments from regulating private landing strips.

HB 388

AN ACT relating to emergency service personnel.

Amends KRS 337.100 to include rescue squad members, emergency medical technicians, peace officers, and members of emergency management agencies within the section's protections from dismissal for tardiness or absence from regular employment due to valid emergency service duties

HB 389

AN ACT relating to local board involvement in grain storage.

Repeals KRS 251.040 to KRS 251.330 relating to grain storage to eliminate the local board and sealers' involvement with grain storage; amends other sections to conform.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 390

AN ACT relating to reorganization.

Confirms Executive Order 2001-609, renaming the Division of Training and ADD Services, the Division of Local Resources; confirms Executive Order 2001-1516 that relates to the abolishment of the Interagency Farmland Advisory Committee; repeals KRS 262.875.

HB 391

AN ACT relating to insurance.

Amends KRS 304.17A-005 and 304.17A-080 to make technical changes; amends KRS 304.17A-095 to require a new filing to reflect a material change to a previously approved rate filing; requires filing of an amendment for changes to a rate filing; deletes provision authorizing commissioner to hold a rate hearing within 60 days of a filing that contains a rate increase; permits an insurer to request a hearing if commissioner disapproves rates or orders retroactive reduction of rates; amends KRS 304.17A-150 to prohibit the referral of an "individual" rather than an "employee" to Kentucky Access; amends KRS 304.17A-240 to allow a insurer to nonrenew or discontinue a group health plan if the group no longer meets participation requirements or contribution requirements as established by the insurer; amends KRS 304.17A-669 to exempt groups of fewer than 51 rather than 50; creates a new section of Subtitle 17B of KRS Chapter 304 to require the Health Insurance Advisory Council to review the list of high-cost health conditions not less than annually; permits the commissioner to add to or delete from the list of high-cost health conditions by administrative regulation; amends KRS 304.17B-015 to require rejection by at least one insurer, rather than two insurers, to be eligible for Kentucky Access; provides that a person may be terminated from Kentucky Access coverage for failure to meet the requirements of an administrative regulation promulgated under Subtitle 17B of KRS Chapter 304; creates a new section of Subtitle 18 of KRS Chapter 304 to require group health insurers to offer a conversion policy to a group member terminated for any reason; defines "conversion health insurance coverage"; allows conversion health insurance coverage to contain a pre-existing condition limitation; provides that continuation of group coverage need not be provided if the applicant could be covered by Medicare or another group coverage on the effective date of coverage; amends KRS 304.18-110 to remove provisions on conversion policy for terminated group members; provides that if a group policy is replaced by a succeeding insurer, persons under the continued insurance shall remain covered under the prior insurer's policy; amends KRS 304.18-126 to define "disability"; limits the benefits payable under an extension of benefits to the member's hospital confinement or period of total disability for a specific condition, illness, or injury that resulted in the member's total disability; describe a reasonable extension of benefits under major medical coverage for a period of total disability; amends KRS 304.18-127 to provide that in case of a group policy replacing the group policy of another insurer, if a person is confined on the date of coverage of the succeeding insurer's plan and the succeeding insurer has a nonconfinement rule, the succeeding insurer is not responsible for the cost of confinement to the extent the confinement is covered by a prior insurer's extension of benefits provision; amends KRS 304.40-075 to require health care providers when registering as a charitable provider to supply a copy of the medical malpractice policy and other documentation the commissioner deems necessary to determine the proper amount of premiums and taxes to be reimbursed; requires any premium refund to be promptly remitted to the department for transmittal to the general fund; creates a new section of Subtitle 12 of KRS Chapter 304 to provide that in connection with rental reimbursement coverage under an

ACTIONS OF THE 2002 GENERAL ASSEMBLY

automobile insurance policy, an insurer, employee of an insurer, agent, adjuster, or consultant shall not solicit or accept a referral fee or gratuity in exchange for referring an insured or claimant to a rental vehicle agency; amends KRS 304.17A-0952 to provide that the premium rates charged to an individual with similar case characteristics for the same coverage cannot vary from the index rate by more than thirty-five percent (35%) upon any policy issuance or renewal on or after January 1, 2003; provides that the premium rates charged to a small group or association member cannot vary from the index rate by more than fifty percent (50%) of the index rate; amends KRS 304.17A-0954 to provide that rates charged to a member of a employer-organized association cannot vary from its own index rate by more than fifty percent (50%); amends KRS 18A.225 to provide that if a state employee's residence and place of employment are in the same county and if the hospital located within that county does not offer certain listed services, the state employee may select a plan available in a contiguous county that does provide those services; provides that the state contribution for the plan shall be the amount available in the county where the plan selected is located; repeals KRS 304.17A-137 that requires coverage of drugs not approved by the FDA for cancer treatment under certain conditions; repeals KRS 304.17A-260 which requires certain health insurers to be approved to reenter Kentucky's health insurance market.

HB 393

AN ACT relating to children's advocacy centers.

Amends the definition of "children's advocacy center" in KRS 620.020; amends KRS 620.050 to add civil immunity for employees and designated agents of children's advocacy centers; requires the Attorney General, upon request, to provide for the defense of any civil action brought against an employee or designated agent of advocacy centers; permits interagency confirmation of services and disclosure with a signed release; prohibits disclosure of confidential information unless authorized; permits disclosure of confidential information in multidisciplinary team reviews; places limits on information released to a guardian of a child in abuse cases; permits a parent or guardian to access records for his or her child if that parent or guardian is not currently under investigation; provides for the making of one report of the interview with a child in a child abuse case for use by the defendant's counsel and requires counsel to return the report to the court clerk at the close of the case; provides for sealing all recorded interviews with a child at the conclusion of the case; clarifies that these provisions are not be construed as to contravene the Rules of Criminal Procedure related to discovery.

HB 395

AN ACT relating to inherited metabolic disease.

Amends KRS 304.17A-139 to remove the general \$4,000 cap on coverage for inherited metabolic diseases and to provide for a \$25,000 cap on medical formulas and a separate cap of \$4,000 on low-protein modified foods for each plan year.

HB 399

AN ACT relating to the Department of Agriculture.

Amends various sections of KRS Chapters 246, 247, 248, 249, 251, 257, 260, and 363 to rename and restructure certain organizational units within the Department of Agriculture; adds a representative of the American Saddlebred Horse Association and the Kentucky Walking Horse

ACTIONS OF THE 2002 GENERAL ASSEMBLY

Association to the Fair Council; clarifies the name of the National Institute of Standards and Technology; repeals KRS 260.690, relating to the administration of the milk marketing law.

HB 400

AN ACT relating to honey.

Creates a new section of KRS 217.005 to 217.215 to exempt persons who sell less than 150 gallons of honey in a year off the farm from being required to process the honey in a certified food processing establishment, or from being required to obtain a permit.

HB 402

AN ACT relating to teachers and declaring an emergency.

Amends KRS 157.420 to require that beginning with the 2004-2006 biennium teachers be granted a percentage increase in compensation at least equal to the cost-of-living adjustment that is provided in the biennial budget for state employees; creates a new section of KRS Chapter 157 to specify that a local school district may develop differentiated compensation programs that provide additional compensation above the single salary schedule; requires the Kentucky Board of Education to promulgate administrative regulations defining the factors that may be included in a differentiated compensation plan and procedures for approval; establishes a professional compensation fund to provide grants to local districts; requires the Kentucky Board of Education to promulgate an administrative regulation defining the criteria to be used for granting funds to districts; requires the Kentucky Department of Education to assist districts and to gather data relating to the impact of differentiated compensation programs and make recommendations to the Interim Joint Committee on Education; amends KRS 157.390 allowing funding for instruction and program materials and other related costs for classroom mentors; creates a new section of KRS Chapter 164 to create a teacher certification loan program to provide forgivable loans to emergency certified teachers and fully certified teachers who are willing to seek additional certification in hard-to-fill or critical shortage areas; amends KRS 156.553 to make the Teachers' Professional Growth Fund more flexible; requires the Interim Joint Committee on Education to conduct a study of the effectiveness and efficiency of the principal and teacher internship programs and make recommendations to the Legislative Research Commission; EMERGENCY.

HB 405

AN ACT relating to surface mining and declaring an emergency.

Creates a new section of KRS Chapter 351 to provide that a mining permit is not required of a landowner if coal extraction is related to construction, is under 5000 tons, and the coal or proceeds of a coal sale are donated to charitable, governmental, or educational organizations; requires that technical assistance be provided to the landowner, by the Department for Surface Mining and Reclamation, regarding safety and federal and state law; EMERGENCY.

HB 415

AN ACT relating to the Kentucky Law Enforcement Foundation Program.

Amends KRS 15.410 to 15.510 and KRS 42.190 to add Kentucky State Police officers to the provisions of the Kentucky Law Enforcement Foundation Program fund; provides that the State Police receive a supplement when KLEFP funds exceed \$3,000,000; adds two members to

ACTIONS OF THE 2002 GENERAL ASSEMBLY

the task force representing the Justice Cabinet and appointed by the Secretary of the Justice Cabinet.

HB 416

AN ACT relating to telecommunications devices for the deaf.

Amends KRS 278.5499 to collect funds for Telecommunications Devices for the Deaf as reasonably necessary and limit the collection to not more than one cent (\$.01) per access line per month; deletes provision requiring that collections not exceed two hundred thousand dollars (\$200,000) per year.

HB 417

AN ACT relating to manufactured home, mobile home, and recreational vehicle communities.

Amends KRS 219.320 to include definitions of “manufactured home,” “mobile home,” “ANSI/NFPA,” and “underskirting,” and amends the definition of “mobile home lot” and “mobile home park”; amends KRS 219.340 to allow the Cabinet for Health Services to set application and permit fees and allows the cabinet to increase the fees by administrative regulation by not more than five percent each year, up to a statutory maximum fee; establishes a \$47 fee for a permit to construct or alter a manufactured or mobile community and allows the cabinet to increase the fees by regulation up to five percent each year to a maximum fee of \$70; allows existing communities established prior to 1973 to be eligible for an operation permit; requires communities established prior to 1973 to conform to current fire protection standards; allows communities established prior to 1956 to be eligible for an operation permit if certain conditions are met; allows existing units to remain in community and allows their replacement and establishes a permittee as the responsible agent for setback and orientation in communities; amends KRS 219.390 to include manufactured homes within advisory committee; changes committee membership from nine to 12, and determines new members of advisory committee; amends KRS 219.310, 219.330, 219.350, 219.360, 219.370, 219.380, and 219.991 to conform.

HB 421

AN ACT relating to reorganization.

Confirms Executive Order 2001-1217 by which the Department for Medicaid Services was reorganized and program responsibilities were realigned by renaming certain programs as the Division of Long Term Care, the Division of Medicaid Services for Maternal and Children’s Health, and the Division of Financial Management, and creating six new divisions.

HB 422

AN ACT relating to waste tires.

Amends KRS 224.50-868 and KRS 224.50-872 to provide for the extension of the waste tire fee until July 31, 2006, and to provide for a waste tire amnesty program which permits waste tires to be turned in without fees, charges, or penalties.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 427

AN ACT relating to retirement.

Amends KRS 61.552 to allow any employee in the Kentucky Retirement Systems to purchase air time at 15 years rather than 20 but not allow the time to be used to qualify for retirement prior to 20 years of actual service.

HB 428

AN ACT relating to crimes and punishments.

Creates a new section of KRS Chapter 508 to provide mechanisms for the issuance, entry, enforcement, and dissolution of a restraining order after a guilty plea for a violation of KRS 508.140 or 508.150, relating to stalking in the first or second degree, and to provide a penalty of a Class A misdemeanor for a violation thereof; amends KRS 431.005, relating to arrests by peace officers, to give law enforcement officers the power to arrest, without a warrant, upon probable cause to believe that a violation of such a restraining order has occurred; amends KRS 508.130, relating to stalking definitions, to conform.

HB 438

AN ACT relating to retirement.

Amends KRS 61.621 to allow surviving spouses of members who are killed by a duty-related injury to continue receiving a retirement allowance even if they remarry; amends KRS 16.601 to allow surviving spouses of hazardous duty members who are killed in the line of duty to continue receiving a retirement allowance even if they remarry.

HB 448

AN ACT relating to property taxes.

Amends KRS 96.820 to extend by 30 days the date public utilities are to certify property values to the Revenue Cabinet; amends KRS 132.040 to extend the date financial institutions report deposits to the Revenue Cabinet; amends KRS 132.290 to extend the time for which interest is due on omitted property from the date the tax bill is prepared to the day the bill is paid; amends KRS 132.360 to extend the intangible property tax protest period from 30 days to 45 days; amends KRS 136.150 to extend by 30 days the date corporations file certain reports with the Revenue Cabinet; makes conforming amendments and technical corrections.

HB 452

AN ACT relating to monetary penalties in criminal cases.

Creates a new section of KRS Chapter 42 that establishes the court cost distribution fund to be administered by the Finance and Administration Cabinet and outlines the disbursements of funds therefrom; amends KRS 23A.205, relating to court costs in criminal cases in the Circuit Court, to set costs at \$100, to permit nonpayment only if the court makes a finding that the defendant is a poor person, and to establish guidelines for installment payment plan if the defendant is not a poor person but is nonetheless unable to pay the full amount of court costs and fees at sentencing; amends KRS 24A.175, relating to court costs in criminal cases in the District Court, to set costs at \$100 whether the offense is prepayable or not, to permit nonpayment only if the court makes a finding that the defendant is a poor person, and to establish guidelines for installment payment plan if the defendant is not a poor person but is nonetheless unable to pay the full amount of court costs, fees, and fines at sentencing; amends KRS 23A.205 to remove

ACTIONS OF THE 2002 GENERAL ASSEMBLY

criminal court fees and separate fee disbursement for sheriffs; amends KRS 24A.175 to remove criminal court fees and to delete provisions requiring circuit clerks to make separate disbursements to sheriff, county jail expenses, and the Kentucky Local Correctional Facilities Construction Authority; amends KRS 23A.215 and 24A.180 to require monthly payments to the court cost distribution fund by the circuit clerks and amends remaining language to conform; creates two new sections of KRS Chapter 23A and 24A to establish fee prices in criminal cases; amends KRS 30A.200 to remove criminal fee for enhancement of deputy circuit clerk salaries and to make technical changes; amends KRS 31.051 to remove administrative and handling fees; amends KRS 177.978 to limit moneys credited to “energy recovery road fund” to revenues generated from the purchase of decals under KRS 177.990(5) and 177.9771(4); amends KRS 189.394 to remove fee provisions for the spinal cord and head injury trust fund and the traumatic brain injury trust fund; amends KRS 189.990 to remove additional fee for the traumatic brain injury trust fund; amends KRS 189A.010 to remove additional fine for the traumatic brain injury trust fund; amends KRS 211.500, relating to the spinal cord and head injury research board, to remove provision allowing a member to serve two or more consecutive full four year terms at the discretion of the Governor; amends KRS 346.040, relating to the duties of the crime victims compensation board, to require an annual report to be filed with the Office of the State Budget Director and the Interim Joint Committee on Appropriations and Revenue; amends KRS 346.185 to remove additional criminal cost provision and related collection language; amends KRS 431.100 to remove littering fee and separate agency account for court costs in cases of juvenile public offenders, and to add new language relating to collection of monetary penalties in criminal cases; amends KRS 533.030 to remove payments to crime stoppers organizations and to drug and alcohol treatment and prevention programs; amends KRS 149.180, 149.430 150.990, 189.2329, 439.179, 532.032, 532.160, 532.220, 532.352, 532.356, 533.010, 533.020, and 533.030 to provide that certain recovered costs, fines, restitution, and damages are not to be paid through the circuit clerk; amends KRS 64.092, 186.574, 211.476, 211.504, 346.185, 441.685, 441.695, 532.160, 534.020, 534.045, and 635.085 to conform; repeals KRS 26A.150, relating to collection of crime victim compensation fee, and KRS 431.102, relating to service fees in misdemeanor convictions. EFFECTIVE August 1, 2002.

HB 453

AN ACT relating to boating.

Amends KRS 235.250 to increase from \$100 to \$500 the amount of accident damage required before a noninjury boating accident must be reported; amends KRS 235.990 to require that persons convicted of boating negligently or under the influence to complete a safe boating course; increases minimum fine for boating under the influence to \$200 for a first offense, \$350 for second offense, and \$600 for third and subsequent offenses; retains maximum fines the same; requires that persons required to take a safe boating course because of a boating under the influence violation take such a course offered by the Department for Fish and Wildlife; sets a \$100 fee for course materials and training.

HB 455

AN ACT relating to services for individuals with developmental disorders and mental retardation.

Creates a new section of KRS Chapter 205 to define “pervasive developmental disorders” in the same terms as defined in the Diagnostic and Statistical Manual of Mental Disorders;

ACTIONS OF THE 2002 GENERAL ASSEMBLY

requires application for a Medicaid waiver for services to individuals who have a diagnosis of pervasive developmental disorder; requires funding for the waiver from FY 2001-2002 expenditures in the Impact Plus program; permits the Cabinet for Health Services to specify a maximum number of individuals to be served and a maximum dollar amount per individual served; requires services under the waiver to be coordinated with other state and federally funded services; requires report from cabinet on services provided; amends KRS 200.654 to specify that early intervention services include services to infants and toddlers with pervasive developmental disorders and services provided include social skills development and behavioral therapies; amends KRS 347.020 to include individuals with a pervasive developmental disorder and includes behavioral therapies as part of services to persons with a developmental disability; amends KRS 387.500 to include pervasive developmental disorders in the definition of "developmental disability"; amends KRS 205.6317 to specify that funds for the Supports for Community Living Waiver Program shall be used only for direct services to individuals and specify that unexpended funds shall not lapse but be carried forward to the next fiscal years and used for the same purpose.

HB 456

AN ACT relating to certified public accountants.

Amends KRS 325.261 to delete the requirement that the CPA examination be written; amends KRS 325.270 to authorize the board to promulgate administrative regulations governing the application and examination policies and procedures and to delete language establishing an upper cap on examination fees; amends KRS 325.380 to delete the prohibition on using "and Associates," "and Company," and similar designations in a CPA firm's name if there is only one licensee with an ownership interest.

HB 457

AN ACT relating to income taxation.

Amends KRS 141.010 to update the Internal Revenue Code reference date and provide that the update applies to taxable years beginning on or after January 1, 2002; amends KRS 143A.030 to delete the exemption of tar sands from the mineral severance tax; creates a new section of KRS Chapter 42 to provide that the money from tar sands that is distributed to counties under KRS 42.470(2) shall be used for economic development purposes as approved by the Department of Local Government.

HB 464

AN ACT relating to health departments.

Amends KRS 212.632 to increase the urban-county board of health membership from nine to 13 members, to include additional members at large; amends KRS 212.633 to increase the quorum from seven to 10 members; amends KRS 212.740 to permit money to be expended for physical facilities relating to the urban-county department of health; amends KRS 212.750 to permit a public health taxing district to be created by operation of law upon the creation of an urban-county department of health; amends KRS 212.755 to permit an urban-county department of health to request the urban-county government to impose by resolution a special ad valorem public health tax; repeals KRS 212.634, relating to the citizens' advisory council.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 467

AN ACT relating to dental hygienists.

Amends KRS 313.310 to authorize licensed dental hygienists and certified assistant dental hygienists to expand their respective scopes of practice to extend dental services offered by a licensed and practicing dentist; requires the board to promulgate regulations to define services allowed and those not allowed by a dental hygienist without supervision; establishes entities eligible to be supervising dentists for licensed dental hygienists; creates new section of KRS 313.259 to 313.350 to define training, certification, and recertification requirements for licensed dental hygienists to administer anesthesia, including nitrous oxide; requires board to promulgate administrative regulations to define certification and recertification requirements, duties, training, and standards of practice for certified dental assistants; requires dental assistants to complete a dental assisting course at an institution of dental education accredited by the Council on Dental Accreditation as one of the certification requirements; permits the board to approve instructors and courses of study for certifying dental assistants and authorizes the instructor to issue certificates under the board's direction; defines the duties of dental assistants to include coronal polishing; defines treatments that shall not be allowed to be performed by certified dental assistants.

HB 469

AN ACT relating to emergency medical services.

Creates KRS Chapter 311A relating to emergency medical services and move all statutes currently in KRS 311.652 to KRS 311.658 relating to emergency medical services to the new chapter; increases the Board of Emergency Medical Services membership by one representative from an air ambulance service and one representative from a private ground ambulance service; rewrites provisions relating to discipline and provides for prehearing suspension of license or certification if public safety demands; requires hiring a hearing officer to assist the board in the conduct of hearings; defines ranges of punishments; changes the EMS grant program from a matching program to a block grant program; permits paramedics to work in hospital under direction of a physician and to take orders from physicians, nurses, advanced registered nurse practitioners and physician assistants; amends various sections to conform; repeals all statutes in the KRS 311.652 to 311.658 range; prohibits licensing or certifying a person convicted of a felony; requires revocation of license or certification of a person convicted of a felony; creates a new section of KRS Chapter 311A to permit the board to issue a limited license or certification as a first responder, emergency medical technician, or paramedic to a convicted felon for medical services only to inmates, staff, and visitors of the Department of Corrections; creates a new section of KRS 311A to permit emergency medical technician-basic providers and paramedics to administer epinephrine for allergic reactions under medical protocol of the licensed ambulance service; requires ambulance providers to stock epinephrine and administration supplies on ambulances; establishes medical protocols for the treatment of allergic reactions.

HB 470

AN ACT relating to functions of the Kentucky Department of Agriculture and declaring an emergency.

Amends various sections of KRS 246, relating to the functions of the Kentucky Department of Agriculture, to delete references to mines, factories, industry, and other entities to slightly narrow the scope of the department's reporting and coverage; gives jurisdiction to the

ACTIONS OF THE 2002 GENERAL ASSEMBLY

department rather than the Board of Agriculture for inspections and entering on premises to perform work of the department; repeals various sections of KRS 246 to remove some reporting requirements relative to the state's agricultural and other resources, and terminates the department's program for regulating spray painting operations; removes language that refers to the state entomologist having duties of the state apiarist; adds privately owned, raised, and confined deer and elk to the definition of "livestock"; creates new sections of KRS Chapter 150 and KRS Chapter 246 to require the Department of Agriculture in cooperation with the Department of Fish and Wildlife to promulgate administrative regulations pertaining to health requirements, eradication of diseases, and identification of privately-owned and farm-raised cervids; permits the Department of Fish and Wildlife to promulgate administrative regulations in cooperation with the Department of Agriculture relating to the importation and holding of cervids; amends KRS 246.010 to include in the definition of agriculture, deer and elk that are privately-owned and raised in confined areas for breeding stock, food, fiber and other products; amends KRS 257.010 to include in the definition of livestock, deer and elk that are privately-owned and raised in confined areas for breeding stock, food, fiber and other products; EMERGENCY.

HB 473

AN ACT relating to amusement rides and attractions.

Amends KRS 247.232 to delete the definitions of "carnival" and "fair"; amends KRS 247.234 to require insurance carriers to notify the Commissioner of Agriculture prior to cancellation of policies for permanent and mobile amusement rides or attractions; requires seals to be affixed to each piece of amusement ride or attraction equipment; increases the maximum inspection fee that the commissioner may charge for reinspection of an amusement ride or attraction from \$100 to \$500; amends KRS 247.990 to increase fines for violating amusement ride and attraction provisions to up to \$1,000; makes technical corrections.

HB 474

AN ACT relating to wage and hour.

Amends KRS 337.285 to exempt employees employed as seamen from the overtime pay provision as prescribed under the federal law in 29 U.S.C. Section 213(b)(6).

HB 478

AN ACT relating to training for jailers.

Amends KRS 64.5275 to allow jailers who operate life safety jails, jailers who transport prisoners, and jailers who act as court bailiffs to be eligible to participate in the training and training incentive benefits contained in that section.

HB 483

AN ACT relating to fire protection districts.

Amends KRS 75.450 to specify that if a fire department collects membership charges or subscriber fees, a fiscal court may adopt an ordinance to add these charges or fees to the property tax bill; requires the county clerk to add that due or fee amount to the tax bills of the affected property owners; requires sheriffs to collect the dues or fees in the same manner as other taxes on the bill, and unpaid fees or dues bear the same penalty as general state and county taxes; allows

ACTIONS OF THE 2002 GENERAL ASSEMBLY

lien on property for nonpayment; adds same provisions to fire departments operating under KRS Chapters 67, 95, and 273.

HB 484

AN ACT relating to state purchases of food or beverages.

Creates a new section of KRS 45A to establish a purchasing preference in state purchasing contracts for high calcium foods or beverages. Requires schools and other programs offering food service programs to children or seniors to offer foods and beverages with higher amounts of calcium when those calcium-enhanced foods or beverages do not cost more than non-calcium-enhanced foods or beverages.

HB 487

AN ACT relating to the Department of Public Advocacy.

Amends KRS 31.010 to describe individuals that the Department of Public Advocacy represents; amends KRS 31.015 to establish the membership of the Public Advocacy Commission; amends KRS 31.030 to establish the authority and duties of the Department of Public Advocacy; amends KRS 31.035 to establish the advisory boards for the Protection and Advisory Division of the Department of Public Advocacy; amends KRS 31.050, 31.060, and 31.065 to establish the procedures for counties and cities to participate in the defense of indigent criminal defendants; amends KRS 31.070 with a technical change; amends KRS 31.100 to define “needy person” or “indigent person”; amends KRS 31.110 to require that needy juveniles receive legal representation; amends KRS 31.120 to determine which individuals are needy and thus entitled to representation by the Department of Public Advocacy; amends KRS 31.140, 31.165, 31.170, and 31.180 to make technical changes; amends KRS 31.185 to permit a public defender to use facilities for the evaluation of evidence which are available to Commonwealth’s attorneys and to be reimbursed for the use; amends KRS 31.215 with a technical change; amends KRS 31.220 to remove the requirement that a fiscal court has to approve a public defender’s defense of an individual in federal court; amends KRS 31.230 and 31.250 with technical changes; creates a new section of KRS Chapter 31 to require that at arraignment a nonadversarial hearing shall be conducted to determine if the person who has requested to be represented by a public defender can pay a portion of his legal fees and court costs either in the form of a lump sum payment or installments; provides that if a fee is not paid by the due date then the court’s order becomes a civil judgment; provides that all funds received through this judgment shall be credited to the public advocate fund of the county of jurisdiction and may be used only for support of the public advocate program of that county; provides that all funds received from indigent defendants in counties with a local public advocacy system shall be credited to the Department of Public Advocacy special trust and agency account to be used to support the state public advocacy system; provides that if any person receives legal assistance or other benefit and it becomes apparent that the defendant was financially able to pay for representation on the date that the action was brought, the public advocate shall recover payment; sets the limitation of such case at five years after the aid was received; provides that any participating attorney of the public advocacy plan provide information which supports that the defendant was capable of paying for legal representation; extends the duty of recovery of the funds to the custodial parents or guardians of the unemancipated minors at the time the minors were deemed to be needy; provides that all moneys collected in this section shall be placed in a special trust and agency account for the DPA, and provides that those funds shall not lapse; repeals KRS 31.025, 31.051, 31.080, 31.090, 31.130, 31.150, 31.160, 31.190, 31.200, and 31.240.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 488

AN ACT relating to reorganization.

Amends KRS 342.120 to create the Division of Workers' Compensation Funds by combining the Divisions of the Special Fund and the Kentucky Coal Workers' Pneumoconiosis Fund and renaming the new division; amends KRS 342.1242 to abolish only the Division of the Kentucky Coal Workers' Pneumoconiosis Fund, but retains the Coal Workers' Pneumoconiosis Fund; amends KRS 342.232 to require the Director of the Division of Workers' Compensation Funds to continue to make quarterly reports of receipts and disbursements by the Coal Workers' Pneumoconiosis Fund to the Legislative Research Commission; amends KRS 336.020, 342.265, and 342.320 to conform; confirms Executive Order 2001-1294.

HB 503

AN ACT relating to government involvement with charitable nonprofit organizations and declaring an emergency.

Amends KRS 65.1575 relating to charitable community foundations to define "nonprofit organization" as an organization incorporated under KRS Chapter 273 and exempt under Section 501(c)(3) of the Internal Revenue Code; allows a local government to contribute to a nonprofit organization exempt under Section 501(c)(3) of the Internal Revenue Code for the development and operation of a community center or recreational facilities; requires nonprofit organizations that receive a gift from a local government to maintain financial records; creates a new section of KRS Chapter 11A, relating to the Executive Branch Code of Ethics, to permit a state agency or a public servant to raise funds for a charitable nonprofit organization granted a tax exemption by the Internal Revenue Service under Section 501c of the Internal Revenue Code and for crime prevention, drug and alcohol abuse prevention, and traffic safety programs without violating the ethics code; directs that raising funds includes but is not limited to holding events for the benefit of those specified programs, contacting potential donors, providing prizes, and engaging in other forms of fundraising and providing to the program the funds raised; creates a new section of KRS Chapter 15A to permit the Justice Cabinet and its agencies to provide state personnel, state property, and other state resources to Trooper Island Incorporated; EMERGENCY.

HB 505

AN ACT relating to postsecondary education.

Amends KRS 164.746 to increase the amount of compensation for board members of the Kentucky Higher Education Assistance Authority to \$100 per day for their services; amends KRS 164A.050 to permit meetings of the Kentucky Higher Education Student Loan Corporation board of directors to be conducted by alternate means rather than personal attendance; maintains public access to meetings; permits board members to receive \$100 per day for their services.

HB 510

AN ACT relating to health insurance.

Amends KRS 304.17A-245 to require thirty (30) days advance written notice for cancellation of health benefit plans; requires insurer to give thirty (30) days notice of cancellation if the insured fails to pay premium; provides that if a group policy is canceled the insurer must notify each member of the right to conversion within fifteen (15) days after the grace period; requires group contracts to have an automatic termination provision if the premium amounts are not received by the end of the grace period; provides that in case of failure to pay

ACTIONS OF THE 2002 GENERAL ASSEMBLY

the premium, all group contracts must include an insurer's reinstatement policy; prohibits an insurer from denying a contract holder or policyholder reinstatement based on a health-related factor in KRS 304.17A-200 or consideration of medical loss ratio; creates a new section of Subtitle 17A of KRS Chapter 304 to provide that if the premium is not paid by the due date, an insurer must allow a thirty (30) day grace period for which payments must be made prior to termination; amends KRS 304.18-125 to conform; amends KRS 304.17A-240 to restrict reasons for cancellation of a health benefit plan.

HB 517

AN ACT relating to sales and use tax exemption for cervid farmers and declaring an emergency.

Amends KRS 139.480 to exempt from sales and use taxes domestic cervids (deer and elk) and equipment and supplies used in cervid farming operations; EMERGENCY.

HB 519

AN ACT relating to the benefits of emergency service personnel and making an appropriation therefor.

Amends KRS 61.315 to increase the state loss of life benefit for emergency service personnel killed in the line of duty from \$50,000 to \$75,000; includes civilian firefighters employed at military installations and volunteer firefighters among the qualified recipients of the \$75,000 loss of life state benefit; creates a new section of KRS Chapter 95A to provide a monthly payment of \$200 each for life insurance and health insurance for firefighters permanently and totally disabled in the line of duty; provides for administration of the program; amends KRS 95A.262 to conform; repeals KRS 61.316.

HB 521

AN ACT relating to the disposition of human remains.

Amends KRS 381.231 to define "burial ground"; amends KRS 381.697 to require owners of burial grounds to protect them from damage, desecration, and destruction as prescribed, and requires private burial ground owners to construct cemetery protection structures only if the property is in a county with a cemetery board and if the cemetery board provides compensation to the property owner for supplies, labor, and other expenses associated with such construction; creates a new section of KRS Chapter 307 to require the operator of any cemetery that has improperly interred a body or cremated remains to disinter and properly reinter the remains at the cemetery's expense; requires the cemetery, prior to disinterment to notify the next of kin of the deceased and the owner of the burial space regarding the improper interment and the agreed upon date of the disinterment and proper reinterment; amends KRS 525.105 to change the penalty for desecration of venerated objects in the first degree from a Class D felony to a Class C felony; amends KRS 525.115 to provide that all offenses of the crime of violating graves shall be Class D felonies; amends KRS 525.120 to include as abuse of a corpse the failure to prepare, bury, or cremate a corpse in deliberate violation of a contract negotiated; creates a new section of KRS Chapter 67 to require fiscal courts to create a county cemetery board or to give an existing board the authority to apply for grants up to \$10,000 contingent on funds to maintain cemeteries that do not receive perpetual care funds; gives the volunteer board of five members no compensation or reimbursement for services; requires the Department for Local Government to promulgate administrative regulations to coordinate and facilitate the boards' operations;

ACTIONS OF THE 2002 GENERAL ASSEMBLY

establishes criteria for the amount of grants to counties and guidelines for appropriate expenditures of funds; creates a new section of KRS Chapter 67 to establish a county cemetery grant fund in the Department for Local Government to receive state appropriations, gifts, and other funds to assist county cemetery boards in the maintenance of nonprofit cemeteries.

HB 525

AN ACT relating to development of science, technology, and business.

Amends KRS 68.180, KRS 68.197, KRS 91.200, and KRS 92.281 prohibiting the imposition of license fees or occupational taxes on investment partnerships if the investment would not be taxable if individually held, and clarifies when investment funds shall not be taxable to an individual investor; creates a new section of KRS Chapter 141 to grant a tax credit against income tax of 5% for qualified construction costs of research facilities, and includes remodeling in the definition of “construction of research facilities”; amends KRS 141.0205 to conform; amends KRS 141.206 to clarify the tax code to prohibit the taxation of nonresidents on investment income, distributed by a qualified investment partnership, that would not be taxable to the nonresident if held individually; creates new sections of Subchapter 12 of KRS Chapter 154 to define terms; establishes the Kentucky Innovation and Commercialization Center (ICC) Program within the Office for the New Economy; describes the structure and function of the ICCs; creates a concept phase funding pool to support the services of the program; creates a new section of Subchapter 12 of KRS Chapter 154 to require the Kentucky Science and Technology Corporation to administer and manage the Kentucky Science and Engineering Foundation; permits the commissioner to contract with a science and technology organization to effect the Kentucky Innovation and Commercialization Centers’ provisions; amends KRS 154.12-274 to conform; amends KRS 154.12-278 to expand the duties of the Office for the New Economy to specify the programs to be reviewed and approved by the Office for the New Economy; makes technical corrections; creates new subsections of Subchapter 20 of KRS Chapter 154, relating to venture capital, and to define terms; allows the authority to approve investment funds, fund managers, and tax credits; states the total amount of tax credits required; requires that a person or entity seeking to be an investment fund manager be approved by the authority; requires a commitment of cash contributions not less than \$500,000; makes additional requirements concerning the number of investors, the type of investments, and the size of investments; requires specific application, business plan, credit and additional information and disclosures; requires documents related to the Commonwealth’s immunity; requires that the fund and fund manager comply with all applicable state and federal laws; sets limits on unused credits; sets forth criteria to be considered by the authority for the approval of an investment fund; requires that an investment fund manager operate no more than three separate investment funds; allows the authority to promulgate administrative regulations; grants a tax credit equal to 40% of an investor’s proportional ownership share of all qualified investments made by a fund and allows these credits to be taken against KRS 141.020, 141.040 or KRS 136.070; allows credits for insurance companies and financial institutions to be taken against KRS 136.330, 304.3-270, and the taxes imposed under KRS 136.500 to 136.570; identifies when an investor can claim a credit and sets the maximum amount of credits to \$3 million each fiscal year; limits the amount of tax credits taken in any tax year; allows for a fifteen-year carry-forward provision; allows a nonprofit entity to transfer tax credits; allows tax credits to pass through under certain conditions; specifies a penalty for funds that violate provisions; provides for reporting requirements; allows for investment funds approved prior to July 1, 2002, to continue operating

ACTIONS OF THE 2002 GENERAL ASSEMBLY

under certain conditions; amends 154.20-283 to allow for an investment fund manager to occupy a management position in a small business under certain conditions; amends KRS 164.6011, relating to definitions to make technical corrections; amends KRS 164.6013 to reference conforming sections; amends KRS 164.6015 to detail reporting requirements; amends KRS 164.6017 to clarify the role of the Council on Postsecondary Education; amends KRS 164.6023 and 164.6025 to clarify provisions of the Kentucky Research and Development Voucher program; amends KRS 164.6029 to make technical changes in the Kentucky Rural Innovation Fund program; amends KRS 164.6033 to increase the fund award from \$25,000 to \$50,000 with a maximum \$100,000; amends KRS 292.320 to permit an investment adviser to charge a performance-based fee with respect to a client that is an accredited investor; amends KRS 292.330 to provide an exemption from investment adviser registration for KIFA-approved investment fund managers; amends KRS 292.410 to expand the small-offering exemption under certain conditions; allows an issuer to sell its securities; increases the total amount of securities that an issuer may offer in reliance on the exemption; repeals KRS 154.12-270; 154.20-253, 154.20-257, 154.20-259, 154.20-261, 154.20-263, 154.20-267, 154.20-269, 154.20-271, 154.20-273, and 164.6043.

HB 526

AN ACT relating to the unified prosecutorial system.

Amends KRS 15.755 relating to Commonwealth's attorneys to increase the monthly amount provided to each full-time Commonwealth's attorney from \$500 to \$1,000 and amends KRS 15.765 relating to county attorneys to increase the monthly amount provided to each county attorney from \$250 to \$500.

HB 529

AN ACT relating to school closings for elections.

Amends KRS 158.070 to permit school closings for primary elections.

HB 531

AN ACT relating to bank franchise tax.

Amends KRS 136.500 to update the Internal Revenue Code reference date.

HB 549

AN ACT relating to local industrial development authorities.

Amends KRS 154.50-320 to make the reconveyance of property permissive.

HB 554

AN ACT relating to insurance.

Provides that a guaranteed acceptance program (GAP) plan claim means the dollar amount of benefits paid by an insurer on behalf of a guaranteed acceptance plan enrollee for claims that were incurred while the individual was a guaranteed acceptance program plan enrollee.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 556

AN ACT providing for the establishment and management of a state park.

Creates a new section of KRS Chapter 148 to establish the Pine Mountain Trail State Park and specify legislative intent; defines terms; designates the boundaries of the park, allows the Department of Parks to negotiate with land owners for additional land; allows the department to designate side paths, which cannot be taken by eminent domain; requires the department to set the boundaries no later than June 30, 2003; allows limited powers of eminent domain to be exercised, and allows the department to acquire or lease land and to receive gifts of land, and waives the boundary restriction for wells; requires the natural vegetation to be undisturbed except for clearings and as specified in subsection (3) of this section; specifies that revenues from the cutting of timber and resource removal inure to the property owner from which the Commonwealth acquired the property unless the property was purchased by the department; requires that public hearings for administrative regulations and management plans be held in the counties in which trail lies; allows for above-ground blasting utilizing no more than 10,000 pounds of explosives; requires means for ingress and egress for owners of property rights affected by the creation of the trail for access; provides easements to access adjacent land, hunting, fishing, trapping, or removing edible, medicinal, or ornamental plants and herbs, and for access and maintenance of cemeteries; creates a fund for the purposes of carrying out the provisions of the Act; designates the Department of Parks as the agency responsible for administering the park and managing the trail; requires that within six months of the designation of the trail, a management plan and public hearings must be completed and within 12 months the promulgation of administrative regulations must be completed; clarifies that the public has no right to use private lands; requires the department or the Attorney General to bring an action for a violation of the Act, and requires injunctive relief in the name of the Commonwealth to be filed in the local Circuit Court; designates a civil penalty for any violation, including a penalty of \$500 for violations, and prepayable fines for intentional and unintentional trespassing violations, and a penalty for continual trespassing and damage to property; clarifies the legitimate use of property for timbering, oil, gas operations and mining; limits use of land outside the boundaries of the trail; names Sections 1 to 12 of this Act as the Pine Mountain Trail Act.

HB 559

AN ACT relating to elections and declaring an emergency.

Amends KRS 117.055 to require reporting on any precinct exceeding 700 votes cast in the last regular election; provides that the State Board of Elections may, in its discretion, withhold from a county the expenses of any election containing more than 1500 registered voters, excluding precincts using optical scan voting machines and those periods of time that the precinct boundaries are frozen under KRS 117.056; amends KRS 117.355 to delete reporting to the Registry of Election Finance, and provide for the reports under KRS 117.275(4) to be sent to the State Board of Elections within 30 days of any primary or general election; amends KRS 117.066 to permit the use of supplemental paper ballots in the instance of a precinct with a small number of voters; provides for application to State Board of Elections for the use of supplemental paper ballots for small precincts; provides for counting of ballots as provided by KRS 117.275(8); amends KRS 118.215 to permit supplemental paper ballots for use in case of a small precinct; EMERGENCY.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 571

AN ACT relating to intimidation and retaliation against participants in the legal process.

Amends KRS 524.040 relating to definitions to include justice and judge of the court of justice with regard to intimidation of a participant in the legal process offense and retired justice or judge for retaliation against a participant in the legal process offense; defines “juror” as including a person who has been a member of a jury; defines “participant in the legal process” as including judge, prosecutor, attorney defending a criminal case, juror, or witness, and includes members of the participant’s immediate family; defines “prosecutor” and includes retired prosecutor for purposes of retaliation offense; defines “threat” and “witness”; amends KRS 524.040 relating to retaliating against a witness to broaden the offense to retaliating against a participant in the legal process as a Class D felony; requires act to be related to performance of the participant’s duty; amends KRS 524.055 relating to intimidating a witness to broaden offense to intimidating any participant in the legal process as a Class D felony; requires act to be related to performance of the participant’s duty; amends KRS 524.050 relating to tampering with a witness to increase penalty from Class A misdemeanor to Class D felony; amends KRS 524.090 relating to jury tampering to increase penalty from Class A misdemeanor to Class D felony; repeals KRS 524.045 relating to harassing a witness; repeals KRS 524.080 relating to intimidating a juror; repeals KRS 524.120 relating to intimidating a judicial officer.

HB 574

AN ACT relating to the use of a divided referendum for determining Social Security coverage.

Amends KRS 61.435 to permit the use of a divided referendum process upon the authorization of the federal Social Security Act, to determine the desire of public employees to participate in the social security program.

HB 583

AN ACT relating to the commemoration of Kentucky Vietnam War POW/MIAs.

Creates a new section of KRS Chapter 42 to direct the Department of Veterans’ Affairs to update the plaque at the base of the Freedom Tree near the Floral Clock to reflect the most recent official accounting of Kentucky Vietnam War POW/MIAs; requires the plaque to contain a depiction of the POW/MIA flag; directs the Department of Veterans’ Affairs design and pay for the new plaque; allows the Department of Veterans’ Affairs to receive appropriations, gifts, grants, federal funds, and other public and private funds to defray the cost of updating the plaque; directs the Department of Facilities Management to prepare a new base for the plaque and install the plaque; directs the Department of Veterans’ Affairs reimburse the Department of Facilities Management for the cost of installation; directs the Department of Facilities Management to maintain the plaque and tree.

HB 587

AN ACT relating to peace officers.

Amends KRS 148.290 to allow the Kentucky Horse Park to commission its own peace officers in lieu of state commissioning as special law enforcement officers and expands their territorial jurisdiction to include adjoining roadways.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 589

AN ACT relating to state employees.

Amends various sections of KRS Chapter 18A to delete the probationary period requirement for a laid-off employee who receives a bona fide offer of employment; authorizes the Personnel Cabinet to provide legal services outside the cabinet upon request; provides that an employee who is terminated during the probationary period may be placed on the eligible employee list; deletes the requirement that an employee serving an initial probationary period receive notice of termination ten days before being separated.

HB 590

AN ACT relating to the Kentucky Judicial Form Retirement System.

Establishes an excess benefit plan in the Judicial Retirement System, like the excess benefit plan already established by the Kentucky Retirement Systems; deletes the provisions that limit members of the Judicial and Legislators retirement plans from purchasing air time, previous service credit for domestic relations commissioner, trial commissioner, United States and military service, to those individuals that were in office and in active contributing status to the retirement system on June 21, 2001; amends provisions to allow direct trustee to trustee transfer between retirement systems for the purchase of retirement credit if authorized by the Internal Revenue Code; deletes the provisions in both the Judicial and Legislators' Retirement plans that limit the manner in which a member can purchase previous retirement service credit from the military; amends KRS 6.525 which provides that the Legislators' Retirement Plan will be governed by certain listed provisions identical to those provisions in the Judicial Retirement Plan by adding KRS 21.375 to KRS 21.410 to the range of statutes that apply also to the Legislators' Retirement Plan.

HB 593

AN ACT relating to high school athletics.

Establishes a study group composed of educators, private citizens, and two legislators to review the current format of the high school state basketball tournaments and make recommendations prior to scheduling the 2003-2004 tournaments to the board and to the Interim Joint Committee on Education; requires that the committee be equally represented by males and females, except for appointments representing the KHSAA board of control and the General Assembly.

HB 595

AN ACT relating to voluntary criminal history checks at nonpublic schools.

Creates a new section of KRS 160 to permit nonpublic schools to conduct voluntary national or state criminal background checks on new teachers and other school employees.

HB 596

AN ACT relating to compensatory time.

Amends KRS 337.285 to allow county employees to request compensatory time in lieu of overtime wages provided there is agreement between the employer and the county employee, and the request is made without coercion, pressure, or suggestion by the employer; provides county employees who work in excess of 40 hours in public safety activity, emergency response activity, or seasonal activity be allow to accrue up to 480 hours in compensatory time and allows

ACTIONS OF THE 2002 GENERAL ASSEMBLY

other county employees to accrue up to 240 hours; provides that request by a county employee for compensatory time off be granted as long as it does not unduly disrupt the employer's operation, and specifies that mere inconvenience to the employer does not constitute sufficient basis for denial of compensatory time off; provides that accrued compensatory time, if paid, be at the regular rate earned by the county employee, and upon the termination of the county employee, all unused compensatory time be paid at either the average wage of the employee in the last three years or the county employee's final wage rate, whichever is higher; provides that compensatory time shall not be used to avoid overtime compensation; provides for an exclusion for any collective bargaining agreement or memorandum of understanding or agreement between the employer and the representative of the employees; provides that county employee shall mean an employee of any county, charter county, consolidated local government, or urban-county government including an employee of a county elected official; amends KRS 337.990 to add a civil penalty of not less than \$1,000 for subsequent violation.

HB 599

AN ACT relating to reporting on capital projects.

Makes amendments to KRS 45.793 and KRS 26A.168 relating to executive branch agencies and the Administrative Office of the Courts respectively, to clarify process and content of quarterly status reports to the Capital Projects and Bond Oversight Committee on authorized but incomplete capital construction projects; creates a new section of KRS Chapter 45 to require the chief information officer to provide quarterly status report of authorized but incomplete information technology systems, except for those related to postsecondary institutions.

HB 614

AN ACT relating to revenue and taxation.

Amends KRS 131.400, 131.410, 131.420, 131.425, 131.440, and 131.445 to provide for a tax amnesty program for tax liabilities for taxable periods ending after December 31, 1987, but prior to December 31, 2001; creates a new section of KRS Chapter 138 and amends KRS 139.185 and 141.340 to provide personal and individual liability provisions for tax liabilities of managers of a limited liability company and the partners of a registered limited liability company; provides that no person shall be personally and individually liable who had no authority to collect, truthfully account for, or pay over taxes at the time the tax becomes or became due; provides that the officer liability provisions do not apply if a corporation, limited liability company, or registered limited liability partnership on an annual basis elects to be exempt from the provisions of KRS 138.224 by filing with the cabinet a financial instrument in an amount not to exceed two (2) months estimated liability, as calculated by the cabinet, or five thousand dollars (\$5,000), which ever is greater; certifies by an electronic method acceptable by both the dealer and the cabinet no later than the fifteenth day of each month the amount of gasoline and special fuels tax due the Commonwealth by the twenty-fifth day of that month, and agrees to initiate an Automated Clearing House credit transaction to electronically transfer the amount of tax from the dealer's account to the Kentucky State Treasurer on the twenty-fifth day of that month; provides that if a dealer fails to certify the amount of tax collected or does not perform the electronic fund transfer as prescribed by this provision, the cabinet may immediately make demand of the financial instrument and revoke the license of the dealer notwithstanding the provisions of KRS 138.340 and the officer liability provisions shall apply; provides that the personal and individual liability provisions for tax liabilities of managers of a limited liability

ACTIONS OF THE 2002 GENERAL ASSEMBLY

company and the partners of a registered limited liability company apply retroactively to July 15, 1994; provides that the \$100 penalty for failure to file may be waived for reasonable cause.

HB 615

AN ACT relating to community development.

Amends KRS 99.340 to redefine "slum area" to mean an area in which at least one quarter of buildings or a predominance of improvements are substandard, and provides that rehabilitation and historic preservation are brought into other definitions in the section; amends KRS 99.530 to include relocation and historic preservation as acceptable activities of an urban renewal project, and adds buildings and improvements to the scope of acceptable activities for the project.

HB 617

AN ACT relating to medical practice.

Amends KRS 311.530, 311.535, 311.565, 311.580, 311.586, 311.618 and 311.619 for technical corrections; amends KRS 311.545 to delete references to the State Board of Health; amends KRS 311.550 to exclude family remedies, first aid, or medical assistance rendered in the absence of a licensed practitioner, and the use of automatic external defibrillators from the definition of the "practice of medicine or osteopathy," and adds and deletes other definitions; amends KRS 311.560 to exclude physicians with sports entities from the requirements for licensure and delete references to physician assistants; permits board to obtain criminal history information; requires licensee to reimburse the board the cost of administrative proceedings when a violation is found; amends KRS 311.571 to permit a fellowship training license and specify requirements for license; requires board to give reasonable notice and opportunity to be heard when denying licensure; permits a visiting professor license and specifies requirements for license; amends KRS 311.572 to allow a provisional permit to practice medicine and make technical corrections; amends KRS 311.591 to permit president to serve as a temporary member of a panel; permits an inquiry panel to issue a letter of concern as a public document when there is insufficient evidence of a violation but there is evidence of a practice or activity that requires modification; requires disciplinary proceedings to be conducted in accordance with KRS Chapter 13B; creates a new section KRS Chapter 311 to permit the board to issue an emergency order when a physician assistant has violated an agreed order or disciplinary order and conduct a hearing; creates a new section of KRS Chapter 311 to permit a hearing panel to impose probation not to exceed five years; permits a hearing upon receipt of information that a term or condition of probation has been violated; requires a finding from the hearing; requires personal service to the physician on a motion to revoke probation; requires the hearing to be limited to whether a violation of probation has occurred; requires an order on completion of the hearing; permits hearsay as a basis of the board's findings in a hearing on an emergency order; amends KRS 311.595 to specify mental or physical illness or deterioration, or extended absence from the practice of medicine as grounds for denial of licensure; amends KRS 311.597 to specify unprofessional conduct relating to electronic communication for prescribing or dispensing drugs; creates a new section of KRS Chapter 311 to specify requirements for resumption of practice after an absence of at least two years; amends KRS 311.605 to delete the requirement that county boards of health report names and addresses of each person believed to be engaged in the practice of medicine; permits the board to restrain an individual not licensed or practicing in violation of a restriction or suspension; permits a petition to be filed in Jefferson County or other

ACTIONS OF THE 2002 GENERAL ASSEMBLY

counties with venue; specifies terms of the injunction; amends KRS 311.616 to permit board to promulgate administrative regulations; provides operational expenses for an impaired physicians program; requires the program to report any suspected violation of professional conduct; creates a new sections of KRS Chapter 311 to define terms relating to physician assistants and supervising physicians; requires the board to promulgate administrative regulations relating to certification and regulation of physician assistants; requires board to establish a physician assistant advisory committee; specifies membership; excludes students and physician assistants employed by the federal government from certification requirements; specifies education and examination requirements for certification and recertification as a physician assistant; permits additional physician assistants and for supervising physicians and emergency permits for physician assistants in medical emergencies; specifies conditions for denial or revocation of certification of a physician assistant; requires board approval to act as a supervising physician and specify requirements for application for approval; specifies that a supplemental application to the board is required before a physician assistant performs services or procedures beyond those identified in the initial application and permits an initial and supplemental application to be submitted at the same time; permits a supervising physician to continue supervision and a physician assistant to continue to practice if they were in practice prior to the effective date of this Act and requires the supervising physician to submit the initial or supplemental application by October 15, 2002; specifies that a physician may supervise a maximum of four physician assistants but no more than two at one time; specifies duties of a supervising physician; specifies scope of practice of a physician assistant; specifies requirements regarding practice location of a physician assistant; specifies requirements for a physician assistant practicing as an anesthesiology assistant; amends KRS 217.015 to conform; repeals KRS 311.567 and 311.618.

HB 618

AN ACT relating to vehicle emission testing.

Creates a new section of KRS Chapter 77 to require the elimination by November 1, 2003, of any vehicle emissions testing program in a county containing a consolidated local government if the county is in attainment of federal air quality standards; prohibits a county air pollution control board from renewing or entering into contracts for the operation of vehicle emissions testing programs; authorizes the consolidated local government to determine the means and methods of achieving attainment of air quality standards should the county fall below federally established air quality standards at a later date.

HB 621

AN ACT relating to school assessment and accountability.

Amends KRS 158.6453 to change the time frame for reporting state educational assessment results from the fixed date of September 15 to 150 days following the first day the assessment can be administered.

HB 622

AN ACT relating to the Judicial Form Retirement System.

Amends KRS 21.425 to provide that a member may designate disabled children to receive the retirement death benefit that would otherwise go to the surviving spouse under KRS 21.420; provides that the retirement death benefit for the disabled child or children will continue

ACTIONS OF THE 2002 GENERAL ASSEMBLY

until the death of the last remaining disabled child; defines “disabled” to mean an individual determined by the Social Security Administration to be entitled to total disability benefits.

HB 625

AN ACT relating to workers’ compensation.

Amends KRS 342.122(4) to permit the Workers’ Compensation Funding Commission’s Board of Directors to waive the ten year ban, on a case by case basis, if a group self-insurance association petitions to change the method by which the association reports its premiums and has assessments computed.

HB 626

AN ACT relating to extended school services

Amends KRS 158.070 to authorize the Commissioner of Education to approve district requests for grant waivers that would allow the district to use grants for extended school services during the school day as well as after school or on weekends.

HB 628

AN ACT relating to Commonwealth’s attorneys and declaring an emergency.

Moves one Commonwealth’s attorney’s representation from the Twenty-ninth Judicial Circuit to the Fortieth Judicial Circuit; moves another Commonwealth’s attorney’s representation from the Fortieth Judicial Circuit to the Fifty-seventh Judicial Circuit; allows a vacancy to exist in the office of Commonwealth’s attorney for the Twenty-ninth Judicial Circuit until such vacancy is filled by gubernatorial appointment or election, whichever occurs first; bases provisions of the bill on a 2001 amendment to KRS 23A.020 which changed judicial circuits and created a new judicial circuit; EMERGENCY.

HB 631

AN ACT relating to reorganization.

Amends KRS 351.1041 which establishes the Mine Safety Review Commission, to specify that the secretary of the Public Protection and Regulation Cabinet shall have the ability to hire staff necessary and affordable for the operation of the commission, which may include an executive director, general counsel, or other administrative support positions; confirms Executive Order 2001-860.

HB 634

AN ACT relating to the taxation of mobile telecommunications.

Creates a new section of KRS Chapter 139, and a new section of KRS Chapter 65, and amends KRS 139.100, 65.7629, and 160.613 to provide that mobile telecommunications shall be taxed in accordance with federal law; provides procedure for customer tax-bill disputes; makes effective for tax bills issued after August 1, 2002.

HB 637

AN ACT relating to the Kentucky Teachers’ Retirement System and declaring an emergency.

Creates a new section of KRS Chapter 161 to include persons who provide part-time and substitute services in positions traditionally covered by the Kentucky Teachers Retirement System (KTRS) as members so these persons will make contributions to the system and be

ACTIONS OF THE 2002 GENERAL ASSEMBLY

eligible for benefits; creates a new section of KRS Chapter 161 to provide guidelines for the accreditation of court-ordered back salary or service credit to the retirement system; amends KRS 161.220 to clarify the definitions; amends KRS 161.250 to allow the board chair to designate an appeals committee to review reports and recommended orders from administrative hearing officers and issue a final order on behalf of the full board; amends KRS 161.340 to permit KTRS to hire specialized legal counsel with experience not normally available from state government legal staff; amends KRS 161.400 to require KTRS to have actuarial valuations annually rather than every two years; amends KRS 161.420 to require that members may not borrow their contributions to the retirement system and remove language that is inconsistent with the Internal Revenue Code; amends KRS 161.430 to require the KTRS staff and investment managers to adhere to a standardized code of ethics; amends KRS 161.470 to prohibit members withdrawing any part of their contributions to the retirement system prior to separation from service; amends KRS 161.480 to provide that divorce will not terminate the designation of a non-spouse beneficiary; amends KRS 161.507 to require that members who buy time in the system for military service shall purchase at full cost; amends KRS 161.515 to require members who purchase out-of-state service to pay the employer contribution at the rates set in KRS 161.550; amends KRS 161.553 to update the KTRS funding schedule; amends KRS 161.555 to require employers of federal employees to pay the employer match on the federal employees; amends KRS 161.603 to require that retired members who waive their retirement annuity to return to work to obtain their medical insurance coverage through their active employer; amends KRS 161.605 to permit retired members to return to work full-time or part-time and start a second account while still receiving their retirement allowance; permits members retired with 30 or more years of service, or who retired on or before June 30, 2002, to return to work at 75% of their last annual compensation and members retired after June 30, 2002, with less than 30 years of service could return to work at 65% of their last annual compensation; amends KRS 161.620 to require that on or after July 1, 2002, new members of the retirement system who retire with less than ten years of service shall be entitled to a retirement factor of 2% for each year of service, members with ten or more years will be entitled to a retirement factor of 2.5% for each year of service, and the board may approve a retirement factor of 3% for each year of service in excess of 30 years for members who retire on or after July 1, 2004; provides a cost-of-living increase of 1.4% effective July 1, 2002, and increase of 1.5% effective July 1, 2003; provides a minimum retirement allowance benefit of \$400 per year of service for FY 2002-2003 and \$440 per year of service for FY 2003-2004; amends KRS 161.675 to permit members providing part-time and substitute services to avoid COBRA concerns by permitting KTRS to continue their medical insurance coverage and then bill the active employer; KRS 18A.225 to clarify that a retired KTRS member aged 65 or older who returns to work in a position covered by any state-administered retirement system and still receives a retirement allowance will remain eligible for participation in the state group health plan; amends KRS 161.310, 161.440, 161.522, 161.540, 161.545, 161.550, 161.560, 161.611, 161.615, 161.623, 161.655, 161.663, and 161.700 to conform; EMERGENCY.

HB 644

AN ACT relating to crimes and punishments.

Creates new sections of KRS Chapter 218A to criminalize possession and sale of a methamphetamine precursor.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 648

AN ACT relating to state personnel.

Amends KRS 18A.0551 to allow the board, rather than the Personnel Cabinet, to conduct its elections; amends KRS 18A.245 to increase the Deferred Compensation System board's per diem from \$45 to \$100; clarifies that the board is attached to the Personnel Cabinet for administrative purposes only to establish that the authority rather than the Personnel Cabinet shall provide administrative functions for the board; allows the board to expand its deferred compensation options to include new provisions of recently changed federal laws.

HB 649

AN ACT relating to Article 9 of the Uniform Commercial Code and declaring an emergency.

Amends KRS 355.9-109 to exempt state and local government debt issuance from Article 9 of the Uniform Commercial Code; EMERGENCY.

HB 650

AN ACT relating to water districts.

Repeals KRS 74.270, relating to monthly estimates for construction and warrants for payment.

HB 652

AN ACT relating to crimes and punishments.

Amends KRS 189A.070 and 189A.090, relating to license revocations, to allow a court after one year of the revocation period has elapsed to order the installation of an ignition interlock device for the remaining period of revocation, and to provide the conditions under which a court may so order; amends KRS 189A.340, relating to ignition interlock devices, to require that, once installed, ignition interlock devices be serviced and monitored at least every thirty days and also to direct the Transportation Cabinet to require the cabinet approved servicing and monitoring entities to report on driving activity to the court, the prosecuting attorney, and the defendant within seven days of each servicing and monitoring; amends KRS 189A.005, relating to defined terms, to specify that an "ignition interlock device" prevents the motor vehicle ignition or motorcycle ignition from continuing to operate if the device measures the driver's breath alcohol concentration at above 0.02; makes technical amendments to KRS 189A.005, 189A.340, 189A.345, and 189A.410.

HB 654

AN ACT relating to the promotion of agritourism.

Creates new sections of KRS Chapter 247 to direct the Department of Agriculture, in conjunction with the Tourism Development Cabinet, to establish an Office of Agritourism; establishes purposes and duties; requires the development of a statewide plan to be presented to the Agritourism Advisory Council; creates the Agritourism Advisory Council; establishes members, duties, and terms; authorizes the Commissioner of Agriculture and the secretary of the Tourism Development Cabinet to promulgate administrative regulations; requires that implementation of the Act is subject to the availability of grant or existing funds.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 657

AN ACT making appropriations for operations, maintenance, and support of the legislative branch of the Commonwealth of Kentucky.

The Legislative Branch Budget: appropriates from the general fund \$36,515,400 for fiscal year 2002-2003 and \$40,781,400 for fiscal year 2003-2004; appropriates from restricted agency funds \$65,000 in fiscal year 2002-2003; and \$165,000 for fiscal year 2003-2004; Appropriations are allocated as follows: GENERAL ASSEMBLY 2002-2003 \$9,877,800; 2003-2004 \$13,477,800; LEGISLATIVE RESEARCH COMMISSION 2002-2003 \$26,638,100; 2003-2004 \$27,304,100.

HB 659

AN ACT relating to the public good and making an appropriation therefor.

Creates new sections of KRS Chapter 67C relating to consolidated local governments (CLG) to clarify that the mayor assumes all appointment authority for boards and commissions; clarifies that all powers, privileges, and immunities conferred to cities and counties are conferred to a CLG; permits removal of elected officers for misconduct, incapacity, or willful neglect as prescribed, requires charges to be preferred by five members for officers and 10 members to prefer charges against the mayor; gives an officer the right to a public hearing; requires 2/3 vote of those eligible to vote for removal, appealable to Circuit Court and Court of Appeals; prohibits a removed officer from being eligible to fill a vacated office until the end of the original term; permits the division of the CLG into service districts for tax purposes upon petition of residents; permits a CLG to alter or abolish the districts but not expand them unless approved by petition of voter residents; prohibits a CLG from changing a district if it would adversely affect other local governments as prescribed; permits the CLG to provide for the maintenance of the tax structure, tax rates, and level of services in the area formerly comprising the city of the first class and the creation of "urban service tax districts" as prescribed; amends KRS 64.250 to remove salary provisions for justices of the peace in a CLG; amends KRS 65.540 to transfer appointment of authority members from the county judge/executive to the mayor in a CLG; amends KRS 65.570 to permit the executive director to be appointed by the mayor; amends KRS 67.120 to permit the CLG to have its own clerk and a deputy clerk; amends KRS 67.722 to remove the provisions for the road fund expense funds for the county judge/executive in a county containing a CLG; amends KRS 67C.101 to clarify a CLG as a separate class of local government with sovereign immunity; amends KRS 67C.103 to exempt notice of special meetings of a CLG from newspaper publication but require other public notice pursuant to KRS Chapter 424; amends KRS 67C.105 to clarify that the mayor has all appointment powers in a CLG; amends KRS 67C.107 to clarify that contracts under renegotiation upon the establishment of a CLG shall continue; amends KRS 67C.115 to establish an order of preference relating to the reconciliation of existing city and county ordinances; amends KRS 68.160 to require the mayor to appoint a purchasing agent for a CLG as prescribed; amends KRS 76.030 to establish three year terms of appointment for board members in a CLG; amends KRS 76.060 to permit the mayor to appoint prescribed MSD board members in a CLG; amends KRS 77.070 to permit the mayor to appoint the board members on the air pollution control board in a CLG; amends KRS 80.450 to permit the mayor in lieu of the county judge/executive to appoint the executive director of the housing authority in a CLG; amends KRS 80.480 to permit the mayor to appoint housing authority members in a CLG; amends KRS 91A.370 to outline the duties of the mayor and the Governor to appoint the members of the tourism commission in a CLG; amends KRS 96.240 to increase the board of the

ACTIONS OF THE 2002 GENERAL ASSEMBLY

water company in a CLG from four to six members; amends KRS 96A.010 to establish the mayor in a CLG as the appointing authority; amends KRS 96A.040 to change from four to three years the term of office for board members in a CLG; amends KRS 96A.070 to authorize the mayor to appoint the executive director of the transit authority in a CLG; amends KRS 97.035 to change from four to three years the term of office for board members in a CLG; amends KRS 98.310 to authorize the mayor in a CLG to appoint the director; amends KRS 98.350 to authorize the mayor in a CLG to appoint an advisory board in the department of welfare; amends KRS 100.127 to delete the requirement for the adoption of a planning agreement in a CLG; amends KRS 100.141 to exempt a CLG from legislative oversight of appointments to the planning commission; amends KRS 100.217 to require only one board of adjustment in a CLG; amends KRS 100.403 to expand the definition for “land use officer” in a CLG as prescribed; amends KRS 173.106 to direct that funds donated to the library be transferred directly to the CLG; amends KRS 212.380 to permit the mayor in a CLG to appoint the board members of the board of health; amends KRS 241.170 to give the ABC administrator in a CLG county-wide control except in those cities who have opted to hire their own administrators; amends the following KRS sections to establish a reference to KRS 67C: 15A.305, 15.760, 31.185, 39B.020, 39C.050, 39F.200, 45A.345, 61.080, 61.210, 61.220, 62.055, 63.220, 64.345, 64.350, 64.5275, 65.003, 65.156, 65.158, 65.170, 65.192, 65.245, 65.410, 65.466, 65.490, 65.499, 65.570, 65.680, 65.7701, 65.940, 66.041, 66.131, 67.077, 67.705, 67.712, 67.825, 67.830, 67B.010, 67B.020, 67B.030, 67B.040, 67B.050, 67B.060, 67B.070, 67C.109, 67C.121, 67C.123, 68.130, 68.140, 69.130, 69.210, 69.320, 70.030, 70.260, 70.262, 70.320, 70.542, 71.110, 72.435, 72.450, 72.455, 75.031, 77.065, 77.115, 77.127, 77.135, 77.140, 77.275, 81.028, 81.380, 81.050, 81A.410, 82.025, 82.085, 82.095, 82.400, 82.650, 82.700, 91.375, 91.560, 91.610, 91.620, 91A.350, 91A.390, 91A.392, 96.030, 96.040, 96.230, 96.260, 96.550, 98.300, 99.595, 99.615, 99.620, 99.660, 99.700, 99.705, 99.710, 99.720, 99.730, 99A.010, 100.111, 100.121, 100.137, 100.157, 100.201, 100.202, 100.205, 100.208, 100.209, 100.211, 100.212, 100.214, 100.217, 100.237, 100.253, 100.277, 100.324, 100.331, 100.347, 100.401, 100.405, 100.985, 100.987, 108.060, 132.010, 132.015, 132.017, 132.018, 132.023, 132.275, 132.400, 132.590, 132.635, 133.240, 134.140, 134.380, 134.590, 153.440, 153.460, 161.710, 162.300, 172.200, 173.105, 173.106, 173.107, 173.860, 177.9771, 178.020, 178.040, 178.117, 178.330, 178.333, 178.337, 178.350, 178.405, 179.070, 179.330, 179.470, 181.850, 181.851, 181.853, 183.132, 198A.067, 198B.290, 210.040, 211.1751, 211.370, 212.350, 212.360, 212.380, 212.390, 212.432, 212.600, 212.750, 212.990, 226.060, 230.377, 238.555, 241.075, 241.160, 241.170, 243.030, 243.050, 243.060, 243.070, 277.050, 278.650, 278.665, 279.310, 304.8-060, 304.8-090, 345.010, 381.440, 393.100, 416.560, 424.130, 424.220, 424.240, 439.315; amends KRS 100.201, 100.202, and 100.205 to conform; creates a new section of KRS Chapter 77 relating to vehicle emissions testing programs to require the air pollution control board to eliminate such programs by November 1, 2003, following the adoption of a consolidated local government if the county was notified by December 1st of the county’s attainment of federal air quality standards as prescribed; prohibits the air pollution control board from renewing or entering into contracts for the operation of such programs, authorizes the consolidated local government to determine the means and methods of achieving attainment of air quality standards should the county fall below federally established air quality standards at a later date; creates a new section of KRS Chapter 2 to designate the Kentucky Center for African American Heritage in Louisville as the official center for the celebration of Kentucky’s African American heritage; amends 2002 Ky. Acts Chapter 247, sec.1, to clarify that the requirements for residency within the Commonwealth contained in the Act

ACTIONS OF THE 2002 GENERAL ASSEMBLY

shall not apply to an agency law enforcement employee employed by that agency on the effective date of the Act until the termination of their employment with the agency; amends KRS 238.535 to clarify that the “establishment and continuous operation” of a charitable organization means that the organization conducts activities from an office in the Commonwealth for three years immediately preceding their application for a charitable gaming license and throughout their possession of the license, exempts those charitable organizations operating in more than 10 states from the three-year waiting period if the organization can document that it has been actively engaged in charitable activities and has made reasonable progress toward licensure by their conduct of charitable activities or the expenditure of funds in the Commonwealth as prescribed for a period of three years, requires the organization to operate an office or place of business for charitable purposes in the county where it proposes to conduct charitable gaming for one year prior to application for licensure as prescribed; authorizes Eastern Kentucky University to expend \$422,000 in bond funds from its 2000-2002 Capital Renewal and Maintenance Pool allocation for water line construction to its Corbin campus; clarifies that the provisions of Section 235 of this Act shall prevail over any conflicts with 02 HB 618 as prescribed.

HB 662

AN ACT relating to motor fuel taxes.

Amends KRS 138.210 to include dyed diesel fuel under the definition of “special fuels”; deletes the reference to “nontaxable diesel fuel” and inserts in lieu thereof the term “dyed diesel fuel”; deletes the exclusion for state and local government vehicles under the definition of “dyed diesel fuel”; amends KRS 138.502 and 138.224 to conform; defines financial instrument; provides that motor fuel dealers may elect to file a financial agreement with the Revenue Cabinet not to exceed two months estimated tax liability or \$5000, whichever is greater and meet certain reporting and payment requirements, rather than filing a financial agreement with the cabinet not to exceed three months estimated tax liability or \$5000, whichever is greater.

HB 671

AN ACT relating to hunting and fishing regulation.

Amends KRS 150.170 and 150.190 to exempt resident or nonresident observers and participants in field trials, competitions, and training from licensing requirements as approved by the Department of Fish and Wildlife if no game is taken.

HB 679

AN ACT relating to transient room tax.

Amends KRS 91A.390 to allow local governing bodies to impose a transient room tax, not to exceed four and one-half percent, to fund the operation of a tourist and convention commission; amend KRS 91A.392, 91A.400 and 153.440 to conform.

HB 684

AN ACT relating to student financial aid.

Amends KRS 164.7535 to permit students enrolled in an equivalent undergraduate program as defined in administrative regulation by the Council on Postsecondary Education to qualify for college access funds if otherwise qualified; amends KRS 164.7881 to permit students enrolled in an equivalent undergraduate program as defined by the Council on Postsecondary Education in administrative regulation to use Kentucky educational excellence scholarship

ACTIONS OF THE 2002 GENERAL ASSEMBLY

awards for which they are otherwise eligible; provides that the Act be retroactive to the 2001-2002 academic year and a student who is eligible for the 2001-2002 year shall have until October 1, 2002, to apply for a retroactive award.

HB 688

AN ACT relating to contract formation.

Creates a new section of KRS Chapter 372 to specify under what circumstances a check or similar item sent in the mail with the intent to form a contract is not a valid offer for contract formation; requires particular disclosures and notices; provides that an attempt to enforce purported contracts not meeting these requirements is a violation of the Consumer Protection Act; gives the Attorney General, Commonwealths' attorneys, and county attorneys concurrent jurisdiction; provides that offerors not meeting requirements shall hold depository banks and holders in due course harmless for those items.

HB 705

AN ACT relating to oil and gas conservation.

Amends KRS 353.580 to authorize the Department of Mines and Minerals, Division of Oil and Gas, to allow a permit to drill a well to be extended by one year upon the payment of a fee and updating the original permit application information; prohibits extension requests for permits issued prior to the effective date of the Act when there has been a severance of the oil and gas interests from the surface interests, unless an extension is agreed to by the surface owner.

HB 707

AN ACT authorizing the payment of certain claims against the state which have been duly audited and approved according to law, and have not been paid because of lapsing or insufficiency of former appropriations against which claims were chargeable, making an appropriation therefor, and declaring an emergency.

Appropriates funds for the payment of specific claims; EMERGENCY.

HB 715

AN ACT relating to taxation.

Amends KRS 132.020 and 132.200 to clarify that tax exemptions for foreign trade zones are limited only to zones that are established and activated in accordance with U.S. Customs and Foreign Trade Zones Board regulations.

HB 720

AN ACT relating to the Kentucky National Guard.

Creates a new section of KRS Chapter 38 to extend the rights, benefits, and protections of the Federal Soldiers' and Sailors' Civil Relief Act of 1940 to members of the Kentucky National Guard called up for active duty under Title 32 of the U. S. Code, or by the Governor, providing the active duty orders are for thirty days or more.

HB 723

AN ACT to revise and correct the Kentucky Revised Statutes.

Amends KRS 24A.120, 45A.100, and 311.669 to make technical corrections.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 728

AN ACT relating to administrative regulations and declaring an emergency.

Creates a new section of KRS Chapter 13A to provide that administrative regulations which have expired or are scheduled to expire shall be null, void, and unenforceable; prohibits administrative bodies from promulgating regulations which are identical or substantially similar to the void regulations until adjournment of the 2003 Regular Session; EMERGENCY.

HB 729

AN ACT relating to the salaries of nonelected city officers.

Amends KRS 83A.070 to require cities to fix the salary of nonelected officers under a personnel and pay classification system; amends KRS 83A.080 to delete reference to an ordinance setting salaries for nonelected officers.

HB 736

AN ACT relating to purchasing by local public agencies.

Amends KRS 45A.385 to increase from \$10,000 to \$20,000 the small purchase limit for local governments that have adopted the model procurement code.

HB 737

AN ACT relating to the establishment of a Lewis and Clark Bicentennial Commission.

Establishes the Lewis and Clark Bicentennial Commission; sets its membership to consist of nineteen members; sets duties.

HB 739

AN ACT relating to joint sewer agencies and declaring an emergency.

Amends KRS 76.231 to provide an exemption for a uniform rate requirement among joint sewer agencies when local conditions warrant for a period not exceeding ten years from the date the sewer agency is established; EMERGENCY.

HB 745

AN ACT relating to oil and gas.

Amends KRS 353.640 to delete existing provisions governing alternatives to owners not electing to participate in the risk and cost of the drilling, deepening, or reopening of a well; establishes procedures under a pooling order that an owner not participating may follow; establishes procedures governing pooled interests of an oil or gas owner whose identity and location remain unknown at the conclusion of a hearing concerning a pooling order; establishes procedures governing when the owner not electing to pool has been deemed to have leased the oil or gas interest to the well operator.

HB 749

AN ACT designating the Louisville Science Center as the State Science Center of Kentucky.

Creates a new section of KRS Chapter 2 to designate the Louisville Science Center as the State Science Center of Kentucky.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HB 755

AN ACT relating to motor vehicles that have a limited exemption from being regulated as a motor carrier.

Amends KRS 281.605 to exempt from regulation as a motor carrier, except for safety regulation, motor vehicles used to transport children to educational events or conservation camps run by, or sponsored by, the Department of Fish and Wildlife or the Kentucky Sheriffs Association.

HB 781

AN ACT relating to juries.

Amends various statutes in KRS Chapters 29A and 30A to revise the procedures used by the Court of Justice in the selection and administration of the jury system, including means by which prospective juror's names are gathered, means by which excuse or postponement of service may be granted, means by which jurors are selected for service, and means by which jurors are served a jury service summons; expands the time during which repeat jury service shall not be demanded of a juror; deletes statutory requirement relating to the provision of jury pool names to the public; provides a statutory basis for the purging of ineligible names from the list of potential jurors.

HB 792

AN ACT relating to mining.

Amends KRS 351.090 to delete the requirements that persons, other than those employed by a company, who by contractual or other rights in performing mine inspections, shall be familiar with mining and possess experience equal to that required of a state mine inspector and that they be held responsible for their conduct in the performance of their inspections and related acts; amends KRS 351.102 to require the commissioner to issue a trainee miner permit to any person who has completed a program of education of 24 hours rather than 16 hours and to allow rather than require the examination to be given orally if a miner is unable to read; amends KRS 351.106 to require 16 rather than eight hours of annual retraining for all certified persons; amends KRS 351.1291 to require all inexperienced surface coal miners to complete a twenty-four rather than sixteen hour course of instruction; amends KRS 352.020 to require that every coal mine provide two separate and distinct escapeways, one of which is vented by the intake air, but allows the commissioner to approve an alternate ventilation plan for a mine originally licensed prior to January 1, 1990; amends KRS 352.150 to prohibit the transport of men on belts if the commissioner finds that a safety hazard exists that cannot be corrected; amends KRS 352.170 to require all mine foremen and fire bosses employed in mines to carry approved gas detection devices rather than flame safety lamps; amends KRS 352.241 to eliminate the provisions relating to use of compressed air for blasting; makes numerous technical changes.

HB 801

AN ACT relating to retirement and declaring an emergency.

Amends KRS 78.530 to provide that the Systems shall deny the petition for membership of any agency that does not have a contract with the state Personnel Cabinet to insure the agency's active employees in the state health insurance group; amends KRS 78.540 to allow persons who declined membership in CERS under the provisions of KRS 78.540(1) to elect to participate and purchase prior service by paying a delayed contribution payment; exempts any

ACTIONS OF THE 2002 GENERAL ASSEMBLY

county government entering the system between the effective date of this Act and July 1, 2003, from the requirement of denying the request of any agency not having an irrevocable contract with the Personnel Cabinet for health insurance coverage; changes the date on which an employee must be employed in order to be eligible to purchase up to five years; allows the Board of Trustees of the systems, based upon a favorable ruling of the IRS, to provide for the purchase of service credit under KRS 61.552 on a pre-tax basis; EMERGENCY.

HB 809

AN ACT relating to access for the abatement of a surface mining violation and declaring an emergency.

Amends KRS 350.280 to provide that, in cases where a surface mining permittee or operator has been issued a notice or order directing abatement of a violation on the basis of imminent danger to health and safety of the public or significant environmental harm, and the notice or order requires access to property for which the permittee or operator does not have the legal right of entry necessary in order to abate the violation and he or she has been denied access, and an easement of necessity is recognized on behalf of the permittee or operator, and the violation involves an emergency, the permittee is authorized to enter the property to undertake immediate action to abate the violation if he or she concurrently satisfies certain requirements; in a nonemergency situation, allows the permittee to have an appraiser on the property to conduct an appraisal and after completing certain requirements, allows the permittee to enter the land to abate the violation; in both cases, requires the permittee to have an appraisal of the damages that will result from the violation, as abated, and those that are likely to occur to the property when the permittee or operator enters the property in order to abate the violation, and to require the permittee to pay this amount to the property owner; allows the property owner to have an appraisal done and if the property owner's appraisal is for more than the permittee's, requires the permittee to pay the difference to the circuit clerk until final resolution of the matter; EMERGENCY.

HB 810

AN ACT relating to the Commission on Small Business Advocacy.

Amends KRS 11.200 to increase membership of the Commission on Small Business Advocacy; removes the representative from a now defunct organization.

HB 812

AN ACT relating to revenue and taxation.

Amends KRS 186.021, 134.805 and 134.810 to clarify that the owner as defined in KRS 186.101(7)(a) and (c) on January 1 of any year is liable for the property taxes on motor vehicles; applies to tax assessments made on or after January 1, 2003; amends KRS 141.050 to provide that changes to federal income tax made after the Internal Revenue Code reference date contained in KRS 141.010(3) shall not apply for purposes of this chapter unless adopted by the General Assembly.

HB 821

AN ACT relating to health insurance.

Amends KRS 18A.225 to encourage the Personnel Cabinet to study whether it is fair and reasonable and in the best interests of the state employee health insurance group to allow a

ACTIONS OF THE 2002 GENERAL ASSEMBLY

carrier to submit bids that may vary county by county or by larger geographic areas; provides that if a state employee's residence and place of employment are in the same county and if the hospital located within that county does not offer certain listed services, the state employee may select a plan available in a contiguous county that does provide those services; provides that the state contribution for the plan shall be the amount available in the county where the plan selected is located.

HB 829

AN ACT relating to campus safety.

Creates a new section of KRS Chapter 164 to create the "Michael Minger fire prevention fund" with funds collected from civil fines under KRS 164.993 and use the funds to educate students and campus personnel of postsecondary education institutions regarding the dangers of fire and methods of fire prevention, and to investigate fires and threats of fires on campuses; amends KRS 164.948 to define "immediately" as meaning two hours within the discovery of a fire or threat of fire, but no later than the time when the last fire unit has left the scene of a fire; amends KRS 164.9483 to require that no fire scene located on a campus be cleared or cleaned without the express consent of the state fire marshal's office after a representative has had an opportunity to investigate the scene; amends KRS 164.993 to establish a civil penalty of not less than \$1,000 nor more than \$2,000 per violation for each day the violation occurs or remains in effect; provides that appeals may be made to the Franklin Circuit Court.

HB 846

AN ACT relating to health insurance for public employees.

Amends KRS 18A.225 to clarify that the definition of "employee" includes persons employed by public postsecondary educational institutions and a consolidated local government; specifically includes within the definition all contributing members of the retirement systems administered by the state, including the Kentucky Retirement Systems, Kentucky Teachers' Retirement System, the Legislators' Retirement Plan, and the Judicial Retirement Plan, or persons receiving a contractual contribution from the state toward a retirement plan, or in the case of public postsecondary education employees, individuals participating in an optional retirement plan authorized by KRS 161.567; includes certified or classified employees of local boards of education within the definition; includes persons who are present or future recipients of a retirement allowance, except excludes persons who are age 65 or older unless the person is actively employed; includes eligible dependents and beneficiaries of participating employees and retirees; includes in the definition of employee those persons over the age of 65 who are covered pursuant to KRS 61.702(4)(c); requires all employers of any class of employees or former employees to enter into a contract with the Personnel Cabinet prior to including that group in the state health insurance group; requires each entity participating in the state-sponsored health insurance program to provide an amount equal to the state contribution rate for the employer portion of the health insurance premium, and, for any entity that uses the state payroll system, the employer contribution amount must be equal to, but not greater than, the state contribution rate; deletes language requiring that policies contain the provision that employees or retired employees be allowed to change health care plans during the reopening period without any limitation for pre-existing conditions if the employee has met the pre-existing condition limitation upon initial employment or reemployment with the group; states that employees who are eligible for and elect to participate in the state health insurance program as a retiree, or the

ACTIONS OF THE 2002 GENERAL ASSEMBLY

spouse or beneficiary of a retiree, under a state-sponsored retirement system shall not be eligible to receive the state health insurance contribution toward health care coverage as a result of any other employment for which there is a public employer contribution; however this does not preclude a retiree and an active employee spouse from using both contributions to the extent needed for purchase of one state sponsored health insurance policy; amends KRS 18A.227 to conform; directs the LRC's Interim Joint Committee on State Government to determine the cost to members of the state group resulting from agency participation in the retirement systems while insuring their active employees outside the health insurance group; requires the LRC to hire an actuary not associated with and without any contractual relations with any involved entity to assist with the study; requires the committee to report its findings to the LRC on or before October 1, 2002; provides that the report shall project the cost for at least five years and shall recommend administrative procedures for the affected entities to pay the associated costs; provides that the Interim Joint Committee on State Government shall work with representatives of the Office of Public Employee Health Insurance, the Kentucky Education Association, KACO, the League of Cities, Area Development Districts, Kentucky Community Action Agencies, regional universities and other affected governmental entities in conducting the study authorized by this Act; provides that the co-chairs of the interim joint committee may provide that appropriate notice of meetings and written materials be given to affected entities; requires the LRC to conduct a study focusing on the entire state-sponsored health insurance program and report its findings to the LRC on or before October 1, 2003; makes conforming amendment; adds two KACO representatives and two League of Cities representatives to the Advisory Committee on State Health Insurance Subscribers; amends KRS 18A.225 to provide that if a state employee's residence and place of employment are in the same county and if the hospital located within that county does not offer certain listed services, the state employee may select a plan available in a contiguous county that does provide those services; provides that the state contribution for the plan shall be the amount available in the county where the plan selected is located.

HB 852

AN ACT relating to police merit boards in a consolidated local government.

Creates new sections of KRS Chapter 67C to require the creation by ordinance of a consolidated local government police merit system and merit board as prescribed, and requires the legislative council to annually appropriate funds for reasonable board expenses; includes definitions; requires mayor, with approval of the legislative council to appoint merit board members as prescribed; sets qualification of members; establishes staggered terms for board members; establishes removal process for board members and filling of vacancies; establishes conflict of interest and ethics standards, requires oath of office for board members; requires election of two patrol officers to serve on the board in disciplinary matters; establishes board operational procedures as prescribed; establishes meeting requirements, requires the employment of a secretary with duties as prescribed, and requires compliance with open records laws; requires mayor to certify personnel information to board as prescribed; requires all officers on duty as of the date of the creation of the board to be deemed fit to continue to serve without further examination unless certified otherwise by the chief; deems specified personnel to be permanent employees subject to ability to perform duties and good behavior; requires probationary employees to serve from one to one and one-half years as prescribed; prohibits officers serving promotional probationary periods from being excluded from the merit system

ACTIONS OF THE 2002 GENERAL ASSEMBLY

during such periods; excludes chiefs, assistant chiefs, and officers above the rank of captain from the appointment provisions of the act and excludes such officers from merit protections; permits officers who were originally under the merit system who serve as chief, assistant chief, or officer above the rank of captain to return to classified service as prescribed, upon leaving the noncovered position, and prohibits non-covered officers who serve as chiefs, assistant chiefs, or officers above the rank of captain from being placed in classified service unless they go through the regular appointment process; prohibits solicitation or receipt of gifts or contributions for political parties or candidates; prohibits use of personal or political influence for advancement or employment as prescribed; prohibits board from soliciting political or religious information on exams as prescribed, prohibits officers from fostering or promoting political or religious controversies or prejudices while in uniform, and protects the individual rights of an officer with respect to personal opinions, beliefs and right to vote; requires board to establish rules and notice requirements for all personnel matters as prescribed; requires board to give notice of rules as prescribed; requires patrol officers to have five years of service before being eligible for promotion to sergeant; requires board to employ a chief examiner and sets out duties and responsibilities; permits the chief of police to certify to the contrary the ability of an officer to qualify for promotion; permits an applicant to file a written challenge to exam scores as prescribed; outlines the procedure for the chief of police to fill promotional vacancies; permits the board to promote officers as prescribed; requires promotional vacancies to be filled within 60 days; outlines procedure for the removal, suspension, lay off, or reduction in grade of an officer by the chief for cause that promotes the efficiency of the service, upon written notice, permits trial and examination of witnesses in such cases at discretion of the chief; requires chief to provide notice of such actions to the board; requires the chief to investigate all written and sworn charges of misconduct made by a citizen against an officer; permits the chief to take necessary disciplinary actions, and permits a citizen to appeal the action of the chief to the board; requires all actions of the chief regarding dismissal, suspension, or reduction to be subject to board review which shall include notice and a public hearing at an officer's request as prescribed; permits the board to set aside disciplinary action of the chief and take its own action but does not permit action in excess of original penalty; prohibits officer from being removed or dismissed except as provided; requires action of the board to be final unless an appeal is filed within 30 days to the Circuit Court, subject to appeal to the Court of Appeals as prescribed; requires procedural due process to be extended to any officer brought before the board; provides that due process includes a prompt hearing, the right to face accusers, and the right to the presentation of evidence; permits the board to issue subpoenas and compel witnesses as prescribed; requires hearings within 60 days of an officer being charged or permits the officer to be reinstated in full.

HB 855

AN ACT relating to the grape and wine industry.

Creates a new section of KRS Chapter 260 to outline the duties of the newly created Kentucky Grape and Wine Council, which include research, provision of information to vendors and producers, and design and implementation of market promotion activities, which are to be carried out to the extent that funds are available; outlines additional duties of the council to advise the Commissioner of Agriculture in the expenditure of funds, to the extent that funds are available from the newly created Kentucky grape and wine council fund, to hire staff to assist the council, promulgate administrative regulations to carry out the duties and recommendations of the council, coordinate with the Kentucky Department of Agriculture and other state agencies,

ACTIONS OF THE 2002 GENERAL ASSEMBLY

and report annually to the Governor and the General Assembly; creates a new section of KRS Chapter 260 outlining the duties of the Commissioner to receive and disburse funds, to the extent that they are available from the Kentucky grape and wine council fund, to hire staff to assist the council, promulgate administrative regulations to carry out the duties and recommendations of the council, assist in the preparation of the annual report, and monitor the activities of the council to ensure performance of the duties of the council; creates a new section of KRS Chapter 260 to create a new fund entitled the "Kentucky grape and wine council fund," restricts disbursement to the Commissioner of Agriculture or his designee, provides that all investment income and unexpended balances shall be reinvested in the fund and not lapse into the general fund, and that the fund shall only be used for the purposes and benefit of the Kentucky Grape and Wine Council; amends KRS 260.165 by deleting the "Grape Industry Advisory Committee," and creates in its place the Kentucky Grape and Wine Council; amends KRS 260.165 by increasing the membership on the Kentucky Grape and Wine Council to nine members and specifies that three winery operators and two grape producers be appointed by the Governor from a list of ten compiled by the Kentucky Vineyard Society and the council; amends KRS 260.165 to require the Governor to make the appointments; makes technical changes to KRS 260.165 regarding quorum size and number of members needed to call a meeting; and amends KRS 260.165 to ensure that members are reimbursed from the Kentucky Grape and Wine Council fund for travel expenses incurred while attending meetings.

HB 857

AN ACT designating "Deo gratiam habeamus" as the Commonwealth's official Latin motto.

Creates a new section of KRS Chapter 2 to designate the phrase "Deo gratiam habeamus" as the Commonwealth's official Latin motto.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HOUSE RESOLUTIONS

HJR 3

Directs the Transportation Cabinet to place signs on US 23 at the Pikeville city limits identifying Pikeville as the birthplace of PGA Tour pro Robert Damron.

HJR 4

Names a segment of US 41 in Hopkins County in honor of Dr. Lee Trover Todd, UK's new president.

HJR 5

Directs the Transportation Cabinet to rename United States Route 41 from Kentucky Route 70 (McLaughlin Avenue) extending south to the city limits of Madisonville the "Frank Ramsey, Jr. Drive" and to erect appropriate signs.

HJR 9

Names Bridge No. B 00444 in Jefferson County on KY 1747, Hurstbourne Parkway, in memory of Peyton Hoge III, former Mayor of the City of Anchorage.

HCR 10

Requests the Legislative Research Commission to establish a task force to study the potential for creating a Museum of Kentucky Agriculture.

HCR 12

Urges the Citizens' Stamp Advisory Committee of the U.S. Postmaster General to issue a U.S. Postal Service stamp commemorating American coal miners.

HCR 13

Directs the LRC to study the effect of tax policies on forest management practices; requires a study of the Kentucky Enterprise Zone Program by the Interim Joint Committee on Appropriations and Revenue; requires findings related to the enterprise zone program to be presented to the Legislative Research Commission by December 1, 2002, and findings related to the effects of tax policies on forest management to be presented to the 2003 General Assembly.

HCR 19

Designates September 11 of each year as "Firefighters and Emergency Medical Personnel Day."

HJR 25

Directs the Department of Education to implement the recommendations of the Interim Joint Committee on Education related to economic education.

HCR 52

Confirms the appointment of M. Mark Wasicsko to the Education Professional Standards Board for a term expiring September 18, 2005.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HCR 53

Confirms the appointment of Thomas James Stull to the Education Professional Standards Board for a term expiring September 18, 2003.

HCR 54

Confirms the appointment of Joe M. Welch to the Education Professional Standards Board for a term expiring September 18, 2005.

HCR 55

Confirms the appointment of Doris S. Barlow to the Education Professional Standards Board for a term expiring on September 18, 2005.

HCR 56

Confirms the appointment of John R. Hall to the Council on Postsecondary Education for a term expiring December 31, 2002.

HCR 57

Confirms the appointment of Susan Shaffer Guess to the Council on Postsecondary Education for a term expiring December 31, 2007.

HCR 58

Confirms the appointment of Walter Baker to the Council on Postsecondary Education for a term expiring December 31, 2007.

HCR 59

Confirms the appointment of Barton D. Darrell to the Council on Postsecondary Education for a term expiring December 31, 2003, to complete the unexpired term of Philip I. Huddleston.

HCR 62

Confirms the appointment of Sheila Crist Kruzner to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2004.

HCR 63

Confirms the reappointment of Dr. Penny M. Miller to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2004.

HCR 64

Confirms reappointment of Samuel E. Moore to the Agricultural Development Board for a term expiring July 6, 2005.

HCR 65

Confirms reappointment of Willa H. Poynter to the Agricultural Development Board for a term expiring July 6, 2005.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HCR 66

Confirms Vickie Yates Brown to the Agricultural Development Board for a term to expire on July 6, 2002.

HCR 70

Confirms the appointment of Bayard Collier to the Mine Safety Review Commission for a term expiring on May 23, 2003, and designates him Chair of the Commission.

HCR 71

Confirms the appointment of Charles M. Tackett to the Mine Safety Review Commission for a term expiring on May 23, 2004.

HCR 72

Confirms the appointment of William R. Whitlege to the Mine Safety Review Commission for a term expiring on May 23, 2002.

HJR 77

Directs the Transportation Cabinet to designate a section of US 421 in Clay County the "Veterans Memorial Highway" and erect appropriate signs; requires the Transportation Cabinet to name I-64 the "Purple Heart Trail" and erect appropriate signs.

HJR 92

Directs the Transportation and Tourism Cabinets to jointly study the feasibility of developing a park, shrine, or memorial to the state's country music heritage on US 23, "The Country Music Highway," as it enters Kentucky from Ohio.

HCR 104

Petitions the Kentucky Congressional Delegation to urge the U.S. Forest Service to replace its newly established guidelines on the care and maintenance of cemeteries with the long-established policies of the TVA.

HJR 122

Directs the Transportation Cabinet to undertake a study to consider various modes of transportation that may be employed to assist citizens who reside in areas of a county that are separated from their county seat by Lake Cumberland.

HCR 125

Reauthorizes the Task Force on Funding for Wildlife Conservation.

HCR 132

Creates a task force to study funding sources for, the operation of, and the utilization of a disaster relief fund for Kentucky; requires the task force to report to additional interim joint committees.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

HJR 148

Requests the Cabinet for Health Services to study the issues surrounding a distribution system for used assistive devices and to report by December 1, 2002, to the Interim Joint Committee on Health and Welfare.

HJR 188

Urges local school districts, postsecondary education institutions, the Kentucky Department of Education, and other education entities to promote the formation of Future Educators Clubs.

HJR 210

Directs Kentucky State University, the Kentucky Aquaculture Task Force, and the Kentucky Department of Fish and Wildlife Resources to conduct a series of statewide public meetings relating to the public support and regulation of reservoir ranching of paddlefish on public waters; declares that reservoir ranching of paddlefish should continue to be investigated for biological impacts and possible economic benefits.

HCR 244

Directs the Interim Joint Committee on Agriculture and Natural Resources to study issues concerning the competitiveness of Kentucky coal in the generation of electricity and directs the Governor and Attorney General to take action against the Federal Department of Energy for failure to convert and dispose of depleted uranium hexafluoride wastes in Paducah, Kentucky.

HCR 285

Confirms the appointment of Stephen B. Catron to the Governor's Postsecondary Education Nominating Committee for a term expiring April 14, 2008.

HCR 286

Confirms the appointment of LaVerne M. Waldrop to the Governor's Postsecondary Education Nominating Committee for a term expiring April 14, 2008.

ACTIONS OF THE 2002 GENERAL ASSEMBLY

SENATE MEMBERS

(Legislators' names are in alphabetical order with party affiliation designated by initial, home town, counties in district, and number of the legislative district.)

ADAMS, DICK (D-Madisonville) Butler, Hopkins, McLean, Muhlenburg, 6

BLEVINS, WALTER, JR. (D-West Liberty) Boyd, Elliott, Lawrence, Martin, Morgan, 27

BORDERS, CHARLIE (R-Russell) Carter, Greenup, Lewis, Mason, Robertson, 18

BOSWELL, DAVID E. Sr. (D-Owensboro) Daviess, Hancock, 8

BUFORD, TOM (R-Nicholasville) Anderson, Boyle, Fayette, Jessamine, Mercer, 22

CASEBIER, LINDY (R-Louisville) Bullitt, Jefferson, 7

DENTON, JULIE C. (R-Louisville) Jefferson, 36

GUTHRIE, BRETT (R-Bowling Green) Logan, Warren, 32

HARRIS, ERNIE (R-Crestwood) Carroll, Gallatin, Grant, Jefferson, Oldham, Trimble, 26

HERRON, PAUL, JR. (D-Henderson) Crittenden, Henderson, Livingston, Lyon, Union, Webster, 4

JACKSON, ROBERT L. (BOB) (D-Murray) Calloway, Carlisle, Fulton, Graves, Hickman, Trigg, 1

JONES, RAY S. II (D-Pikeville) Letcher, Pike, 31

KAREM, DAVID K. (D-Louisville) Jefferson, 35

KELLY, DAN (R-Springfield) Larue, Marion, Nelson, Spencer, Taylor, Washington, 14

KERR, ALICE FORGY (R-Lexington) Fayette, 12

LEEPER, ROBERT J. (BOB) (R-Paducah) Ballard, McCracken, Marshall, 2

LONG, MARSHALL (D-Shelbyville) Franklin, Henry, Jefferson, Owen, Shelby, 20

McGAHA, VERNIE (R-Russell Springs) Adair, Casey, Pulaski, Russell, 15

MILLER, EDWIN (ED) (D-Cynthiana) Bourbon, Bracken, Harrison, Nicholas, Scott, Woodford, 30

MONGIARDO, DANIEL (D-Hazard) Bell, Harlan, Perry, 17

MOORE, VIRGIL (R-Leitchfield) Breckinridge, Grayson, Hart, Meade, Ohio, 5

NEAL, GERALD A. (D-Louisville) Jefferson, 33

PALMER, R. J. II (D-Mt. Sterling) Bath, Clark, Estill, Fleming, Montgomery, Powell, 28

PENDLETON, JOEY (D-Hopkinsville) Caldwell, Christian, Todd, 3

ROBINSON, ALBERT (R-London) Jackson, Knox, Laurel, Rockcastle, 21

ROEDING, RICHARD L. (DICK) (R-Lakeside Park) Boone, Kenton, 11

SANDERS, RICHARD (RICHIE) (R-Franklin) Allen, Barren, Edmonson, Green, Metcalfe, Simpson, 9

SAUNDERS, LARRY (D-Louisville) Jefferson, 37

SCORSONE, ERNESTO (D-Lexington) Fayette, 13

SEUM, DANIEL (R-Louisville) Jefferson, 38

SHAUGHNESSY, TIM (D-Louisville) Jefferson, 19

STINE, KATIE KRATZ (R-Fort Thomas) Campbell, Pendleton, 24

STIVERS, ROBERT II (R-Manchester) Clay, Lee, Leslie, Magoffin, Menifee, Owsley, Rowan, Wolfe, 25

TORI, ELIZABETH J. (R-Radcliff) Hardin, Jefferson, 10

TURNER, JOHNNY RAY (D-Drift) Breathitt, Floyd, Johnson, Knott, 29

WESTWOOD, JOHN D. (JACK) (R-Erlanger) Kenton, 23

WILLIAMS, DAVID L. (R-Burkesville) Clinton, Cumberland, McCreary, Monroe, Wayne, Whitley, 16

WORLEY, ED (D-Richmond) Fayette, Garrard, Lincoln, Madison, 34

HOUSE MEMBERS

(Legislators' names are in alphabetical order with party affiliation designated by initial, home town, counties in district, and number of the legislative district.)

ADAMS, JOHN W. (D-Hopkinsville) Christian, Trigg, 8

ADAMS, ROYCE W. (D-Dry Ridge) Grant, Henry, Owen, 61

ADKINS, ROCKY (D-Sandy Hook) Boyd, Elliott, Lawrence, 99

ALLEN, WILLARD C. "WOODY" (R-Morgantown) Butler, Grayson, Hardin, 17

ARNOLD, ADRIAN K. (D-Mt. Sterling) Lee, Montgomery, Powell, 74

ARNOLD, JOHN A., JR. (D-Sturgis) Daviess, Henderson, Union, 7

BALLARD, JOSEPH "EDDIE" (D-Madisonville) Hopkins, 10

BARROWS, JOSEPH (D-Versailles) Fayette, Franklin, Woodford, 56

BATHER, PAUL (D-Louisville) Jefferson, 43

BAUGH, SHELDON E. (R-Russellville) Logan, Todd, 16

BELCHER, CAROLYN (D-Preston) Bath, Bourbon, Fayette, Nicholas, 72

BELCHER, LARRY (D-Shepherdsville) Bullitt, 49

BOWLING, JOHN W. D. (D-Danville) Boyle, Washington, 54

BRANHAM, IRA EDESEL (D-Pikeville) Floyd, Pike, 94

BRATCHER, KEVIN (R-Louisville) Jefferson, 29

BRINKMAN, SCOTT W. (R-Louisville) Jefferson, 32

BRUCE, JAMES E. (D-Hopkinsville) Christian, Hopkins, 9

BUCKINGHAM, ROBERT "BUDDY" (D-Murray) Calloway, Trigg, 5

BURCH, THOMAS (D-Louisville) Jefferson, 30

BUTLER, DENVER (D-Louisville) Jefferson, 38

BUTLER, DWIGHT (R-Harned) Breckinridge, Ohio, 18

CALLAHAN, JIM (D-Wilder) Campbell, 67

CHERRY, MICHAEL E. "MIKE" (D-Princeton) Caldwell, Crittenden, Livingston, McCracken, 4

CHILDERS, PHILLIP A. (D-Garner) Knott, Magoffin, Wolfe, 92

CLARK, LARRY (D-Louisville) Jefferson, 46

CLARK, PERRY (D-Louisville) Jefferson, 37

COLEMAN, JACK L. (D-Burgin) Anderson, Franklin, Mercer, 55

COLLINS, HUBERT (D-Wittensville) Johnson, Martin, 97

COLTER, BARBARA WHITE (R-Manchester) Clay, Laurel, Leslie, 90

COMER, JAMES R. (R-Tompkinsville) Cumberland, Green, Metcalfe, Monroe, 53

CORNETT, HOWARD (R-Whitesburg) Letcher, Pike, 91

CRALL, BRIAN J. (R-Owensboro) Daviess, 13

CRENSHAW, JESSE (D-Lexington) Fayette, 77

CRIMM, RONALD E. "RON" (R-Louisville) Jefferson, 47

DAMRON, ROBERT R. (D-Nicholasville) Fayette, Jessamine, 39

DENHAM, MITCHEL B. "MIKE" (D-Maysville) Bracken, Fleming, Mason, 70

DeWEESE, BOB (R-Louisville) Jefferson, 48

DRAUD, JON E. (R-Crestview Hills) Kenton, 63

FEELEY, TIM (R-Crestwood) Jefferson, Oldham, 59

FISCHER, JOSEPH M. (R-Ft. Thomas) Campbell, 68

FORD, DANNY (R-Mt. Vernon) Lincoln, Pulaski, Rockcastle, 80

GEVEDEN, CHARLES R. (D-Wickliffe) Ballard, Carlisle, Fulton, Hickman, McCracken, 1

GOOCH, JIM, JR. (D-Providence) Daviess, Henderson, Hopkins, McLean, Webster, 12

GRAHAM, H. G. "GIPPY" (D-Frankfort) Franklin, 57

GRAY, J. R. (D-Benton) Lyon, Marshall, McCracken, 6

HALL, W. KEITH (D-Phelps) Pike, 93

HAYDON, JOSEPH "JODIE" (D-Bardstown) Bullitt, Nelson, 50

HELERINGER, BOB (R-Louisville) Jefferson, 33

HOFFMAN, CHARLES (D-Georgetown) Fayette, Scott, 62

HOOVER, JEFFREY (R-Jamestown) Clinton, Pulaski, Russell, 83

HORLANDER, DENNIS (D-Louisville) Jefferson, 40

JENKINS, JONI (D-Louisville) Jefferson, 44

KERR, THOMAS R. (D-Taylor Mill) Kenton, 64

LEE, JIMMIE (D-Elizabethtown) Hardin, 25

ACTIONS OF THE 2002 GENERAL ASSEMBLY

LEE, J. STAN (R-Lexington) Fayette, 45
LINDSAY, GROSS C. (D-Henderson) Henderson, 11
MARCOTTE, PAUL H. (R-Union) Boone, Carroll, Gallatin, Trimble, 60
MARZIAN, MARY LOU (D-Louisville) Jefferson, 34
McKEE, THOMAS (D-Cynthiana) Campbell, Harrison, Pendleton, Robertson, 78
MEEKS, REGINALD K. (D-Louisville) Jefferson, 42
MILLER, CHARLES (D-Louisville) Jefferson, 28
MOBERLY, HARRY, JR. (D-Richmond) Madison, 81
MOBLEY, RUSS (R-Campbellsville) Adair, Taylor, 51
NAPIER, LONNIE (R-Lancaster) Estill, Garrard, Madison, 36
NELSON, RICK (D-Middlesboro) Bell, Leslie, 87
NESLER, FRED (D-Mayfield) Graves, McCracken, 2
NUNN, STEPHEN R. (R-Glasgow) Barren, Warren, 23
PASLEY, DON (D-Winchester) Clark, Madison, 73
PALUMBO, RUTH ANN (D-Lexington) Fayette, 76
PULLIN, TANYA (D-South Shore) Greenup, 98
RADER, MARIE L. (R-McKee) Breathitt, Jackson, Laurel, Owsley, 89
RASCHE, FRANK (D-Paducah) McCracken, 3
REINHARDT, JON DAVID (R-Alexandria) Boone, Campbell, Kenton, 69
RICHARDS, JODY (D-Bowling Green) Warren, 20
RIGGS, STEVEN (D-Louisville/Jeffersontown) Jefferson, 31
RINER, TOM (D-Louisville) Jefferson, 41
SCOTT, WILLIAM U. (D-Raywick) Casey, Marion, Pulaski, 24
SILER, CHARLES L. (R-Williamsburg) Laurel, Whitley, 82
SIMPSON, ARNOLD (D-Covington) Kenton, 65
SIMS, DOTTIE J. (D-Horse Cave) Edmonson, Hart, Larue, 19
SMITH, BRANDON (R-Hazard) Leslie, Perry, 84
STACY, JOHN WILL (D-West Liberty) Menifee, Morgan, Rowan, 71
STEIN, KATHY W. (D-Lexington) Fayette, 75
STEWART, JAMES, III (R-Flat Lick) Knox, Laurel, 86
STUMBO, GREGORY D. (D-Prestonsburg) Floyd, 95
TAPP, GARY LOUIS (R-Shelbyville) Bullitt, Shelby, Spencer, 58
THOMAS, ROGER (D-Smiths Grove) Warren, 21
THOMPSON, JAMES H. "JIM" (D-Battletown) Hardin, Meade, 27
TREESH, MARK (R-Philpot) Daviess, Hancock, 14
TURNER, JOHNNIE L. (R-Harlan) Harlan, 88
TURNER, TOMMY (R-Somerset) Laurel, Pulaski, 85
UPCHURCH, KEN (R-Monticello) McCreary, Pulaski, Wayne, 52
VINCENT, JOHN (R-Ashland) Boyd, 100
WALTON, CHARLIE (R-Florence) Boone, 66
WAYNE, JIM (D-Louisville) Jefferson, 35
WEAVER, JOHN MICHAEL "MIKE" (D-Radcliff) Hardin, 26
WEBB, ROBIN L. (D-Grayson) Carter, Lewis, 96
WESTROM, SUSAN (D-Lexington) Fayette, 79
WILKEY, ROBERT D. (D-Franklin) Allen, Simpson, Warren, 22
YONTS, BRENT (D-Greenville) Christian, Hopkins, Muhlenburg, 15

Index

Accountants

Business names, use of - HB 456
Certified public accountant, examinations and fees - HB 456
Condition for licensure, student loan repayment status - HB 296

Actuarial Analysis

Health insurance coverage for state employees, provisions regarding - HB 846
Judicial excess benefit plan established, limitation on purchase, transfer deleted - HB 590
Kentucky Retirement Systems, hazardous members' air time - HB 427
Legislators' and judges' retirement, death benefit for disabled child - HB 622
Retirement, Kentucky Retirement Systems, omnibus update - HB 309
Self-insuring state employees, feasibility of - HB 846
Senior Status Special Judge pilot project, extension to January 31, 2009 - SB 271
State systems, survivor benefits, death in the line of duty - HB 438

Administrative Regulations and Proceedings

Board
of Architecture, administrative powers, expansion of - SB 230
of Architecture, disciplinary sanctions, grounds for - SB 230
of Education, veterans, awarding of high school diplomas - HB 45
of Medical Licensure, physician assistants - HB 617
Cabinet for Health Services, Pharmacy and Therapeutics Advisory Committee, function of - HB 103
Certified public accountants, examinations and fees - HB 456
Commissioner of Agriculture, authority to promulgate - HB 350
Council on Postsecondary Education - SB 74
Deficient regulations, ratify findings of legislative committees - HB 728
Dental hygienists and certified dental assistants - HB 467
Department of Education, school nurse consultant, position requirements - HB 126
Education Professional Standards Board, teacher certification, conditional certificate - SB 192

Health Services Cabinet, body piercing, parental consent for - HB 29
Interior designer certification - HB 207
Kentucky Department of Education - SB 74
Medicaid, copayments, implementation of - HB 283
Occupational therapy licensure, amends KRS 319A, promulgate fees by regulation - HB 261
Pharmacists' licenses, minor violation of professional conduct, expungement from permanent record - HB 249
Respiratory therapists, disciplinary actions, available options - HB 302
Short-term nursing home and long-term care insurance policies, authorization to issue - SB 41
Thermal vision grant program, administration of - HB 293

Advertising

Businesses eligible for a specific service highway sign, inclusion of shopping malls - SB 238

Aged Persons and Aging

Adult day health care services, requirement for - HB 283
Adult day health care services, requirement for - SB 142
Long-term care facilities, immunization requirements for - HB 69
Prescription drug coverage for seniors, study of - SCR 185
Short-term nursing home and long-term care insurance policies - SB 41

Agriculture

Agricultural
Development Board, confirmation of appointment, Vickie Y. Brown - HCR 66
Development Board, confirmation, Moore, Samuel E. - HCR 64
Development Board, confirmation, Poynter, Willa H. - HCR 65
or horticultural land assessment - SB 179
Amusement rides and attractions, permitting and inspection of - HB 473
Aquaculture, paddlefish, study of - HJR 210
Department of, changes in organization - HB 399
Department, functions, spray painting regulation - HB 470
Grain storage, local board involvement repealed - HB 389

Index

Grape and Wine Council, creation of - HB 855
Honey, processing and sale of - HB 400
Kentucky-grown perishables, state purchase of, requirement for - SB 13
Milk Marketing Law, repeal of - HB 346
Motor fuel tax, dealer credit when used for agriculture - HB 43
Office of Agritourism, Agritourism Advisory Council, creation of - HB 654
Organic Agricultural Product Certification Program, establishment of - HB 350
Potential for a farming museum, study requested of - HCR 10
Tobacco
Health and Research Institute, reorganization of - SB 86
Task Force, reauthorization of - SCR 47
Trust and agency account, "organic certification fund," establishment of - HB 350
Water quality plans and related documents, grant confidentiality to - HB 367

Alcoholic Beverages

Grape and Wine Council, creation of - HB 855

Amusements and Recreation

Prescriptive easement - HB 387
Rides and attractions, permitting and inspection of - HB 473

Animals, Livestock, and Poultry

Agriculture water quality plans and related documents, grant confidentiality to - HB 367
Assistance dogs, public places, access to - SB 4
Deer and elk farming, sales tax exemption - HB 517
Kentucky-grown perishables, state purchase of, requirement for - SB 13
Kentucky's elk herd, Fish and Wildlife Resources, efforts, educational support for - SCR 49
Special spay neuter license plate, create - SB 7

Annexation

Urbanized areas - HB 314

Appropriations

Abandoned infants - SB 55

Advanced placement teacher training and information - SB 74
Legislative
Branch Budget - HB 657
Claims Bill - HB 707
Western Kentucky University, other funds approved for renovation - SB 54

Architects

Architects, examination process, testing service provision - SB 230
Condition for licensure, student loan repayment status - HB 296
Interior designer certification, administered by Board of Architects - HB 207

Area Development Districts

Local industrial development authority, membership increase - SB 134
Regional code of local ethics board, memo of agreement with ADDs - HB 357

Associations

Dental hygienists and certified dental assistants, board responsibility expanded - HB 467
Occupational therapy licensure, amends KRS 319A - HB 261

Athletics

Kentucky High School Athletics Association, board of control - SB 210

Attorney General

Children's advocacy centers, provide defense for - HB 393
Concurrent jurisdiction with Commonwealth's attorneys and county attorneys - HB 79
Presumption of death following catastrophic event - SB 70

Attorney, Commonwealth's

Abandoned infants, placement and custody, parental rights - SB 55
Compensation - HB 526
Concurrent jurisdiction with county attorneys and Attorney General - HB 79
Invasion of privacy, crime of - HB 133

Index

Judicial circuits, change in representation of - HB 628
Notice to victim of parole consideration - HB 142
Prisoner release, parties notified - HB 93
Sex offenses, criminal penalties for - SB 227
Sexual Assault Response Team Advisory Committee, member of - HB 308
Threatening or retaliating against - HB 571

Attorney, County

Abandoned infants, placement and custody, parental rights - SB 55
Compensation - HB 526
Concurrent jurisdiction with Commonwealth's attorneys and Attorney General - HB 79
Detectives, hiring of, authorization for - HB 52
Threatening or retaliating against - HB 571

Attorneys

Condition for licensure, student loan repayment status - HB 296
Corporation statutes, revision - SB 121
Department of Public Advocacy, duties of - HB 487
Invasion of privacy, crime of - HB 133
Investments of trust funds, authorized - HB 358
Sex offenses, criminal penalties for - SB 227

Banks and Financial Institutions

Bank franchise tax, update Internal Revenue Code reference date - HB 531
Credit card account numbers to telemarketers, prohibit provision of - HB 199
Financial information, improperly obtaining - HB 79
Individual development accounts, study directed - SJR 153
Investments of trust funds, authorized - HB 358
Manufactured housing dealer, licensing requirements - HB 152
Match system, identify delinquent taxpayers' financial assets - HB 614

Barbers and Cosmetologists

Omnibus revision, correctional matters - HB 86

Blind or Deaf Persons

Accessible format textbooks and instructional materials - SB 243
Hearing aids and related services, health insurance coverage for - SB 152
Pilot program for blind voters, establishment of - SB 128

Boats and Boating

Accident reporting threshold and safe boating class - HB 453

Bonds of Surety

Investments of trust funds, authorized - HB 358

Bonds, Public

Uniform commercial code, government debt issuance exempted from - HB 649

Budget and Financial Administration

Budget requests, requirement to include strategic plans - SB 239
Capital projects, quarterly reporting of - HB 599
Court cost distribution fund, creation and administration - HB 452
Legislative
Branch Budget - HB 657
Claims Bill - HB 707
Reorganization, Finance and Administration Cabinet, Executive Order 2001-794 - HB 109
State facilities database and effective planning procedures - HB 286

Capital Construction

State buildings, guaranteed energy savings performance contracting - SB 61

Cemeteries and Burials

Cemetery care - HB 521
Land Between the Lakes, cemeteries, governance of - HCR 104

Chambers of Commerce

Corporation statutes, revision - SB 121

Index

Children and Minors

\$15,000 personal property exemption in probate of estates - SB 262
Abandoned infants, placement and custody, parental rights - SB 55
Achievement gaps, reducing, in school - SB 168
Adopted and foster children, postsecondary tuition waiver, eligibility and reporting requirements - HB 202
Asthma medications, permit in schools – HB 353
Body piercing, written notarized parental consent for - HB 29
Child identification, create program for - HB 106
Children's
advocacy centers, amend definition of - HB 393
advocacy centers, prohibit disclosure of confidential information by - HB 393
advocacy centers, provide civil and criminal immunity for - HB 393
Child's right to counsel - HB 146
Criminal indigent defendants, defense of, responsibility for - HB 487
Daycare centers with federally-supported food or meal programs - HB 484
Foster children,
definition of immediate family, school employees – HB 56
release of information, confidentiality requirements – HB 202
Health insurance, inherited metabolic disease coverage, removal of cap on - HB 395
Hearing aids and related services, health insurance coverage for - SB 152
Juvenile
detention and education programs - HB 145
justice system, revisions to - HB 144
Kentucky Birth Surveillance Registry, outpatient and laboratory records submitted to - SB 219
Kidnapping, child - SB 26
Medications and health care in schools, provision of - HB 126
Methamphetamine offenses committed in the presence of a minor, increase penalty - HB 644
Pervasive developmental disorders, services, Medicaid waiver, require application - HB 455
Revenue Cabinet memoranda of agreement with the Cabinet for Families & Children, collection for - SB 133
School
employees, assault upon - SB 80
nurse consultant, Department of Education, position established - HB 126
Sex offenses, criminal penalties for - SB 227

Support orders, violation, suspension of nursing license – HB 326
Vehicles transporting to Fish & Wildlife event or camp, exempt from regulation as a motor carrier - HB 755
Vision screening - SB 207

Circuit Clerks

Application process for a driver's license or I.D. card, omnibus revision - HB 188
Jury system, administration of - HB 781
Organ donation, promotion of - SB 36
Payments of fines, damages, and costs not to be paid through - HB 452
Permanent restraining orders, entry into LINK - HB 428

Cities

Ambulances, requirements for - SB 196
Cemetery care - HB 521
Chapter 75 volunteer fire districts, merger incentive - SB 66
Cities with boundaries beyond single county, issuance of certificate of election in - HB 378
Community charitable foundations - HB 503
Consolidated local government - HB 659
Crestwood, in Oldham County, reclassification from 6th to 5th - HB 334
Criminal indigent defendants, defense of, responsibility for - HB 487
Disaster relief fund, study creation of - HCR 132
Divided referendum process for social security participation - HB 574
EMS personnel, residency requirement - SB 125
Kentucky Retirement Systems, hazardous members' air time - HB 427
Law enforcement employee, residence requirement - SB 141
Local
industrial development authorities, conveyance and disposal of property - HB 549
industrial development authority, membership increase - SB 134
Loss of life benefit from volunteer firefighters - HB 519
Manufactured housing, regulation of - HB 417
Mayor, term of office for reelection purposes, clarification of - HB 297
Model procurement code, small purchase limit - HB 736
Municipal utilities, Interconnection agreements with - SB 176

Index

Nonelected officers, salaries for - HB 729
Omnibus revisions related to the new economy initiatives, local taxation - HB 525
Regional code of ethics board, allow - HB 357
Retirement,
Kentucky Retirement Systems, omnibus update - HB 309
survivor benefits, death in the line of duty - HB 438
Tax base coordination agreements - HB 314
Thermal vision grant program, city firefighters, eligibility - HB 293
Urban renewal and redevelopment - HB 615
Variance in planning and zoning, redefinition - SB 143
Voluntary telecommunications career development training - HB 154
Zoning regulations, placement of qualified manufactured homes - SB 197

Cities, Classification

Crestwood, in Oldham County, reclassification from 6th to 5th - HB 334
Stanford, in Lincoln County, from 5th to 4th - HB 305

Cities, First Class

Mayor, term of office for reelection purposes, clarification of - HB 297

Cities, Fourth-Sixth Class

City office candidates, write-in voting exception, removal - HB 36

Cities, Second Class

Mayor, term of office for reelection purposes, clarification of - HB 297

Civil Actions

\$15,000 personal property exemption in probate of estates - SB 262
Children's advocacy centers, provide immunity for - HB 393
Concurrent jurisdiction, federal prisons - HB 143
Long-term care facilities, Type A and Type B violations, civil penalties for, decrease in - SB 203

Mail solicitation, use of indorsable checks - HB 688
Mechanics' and materialman's lien - HB 171
Omnibus revision, correctional matters - HB 86
Prescriptive easement - HB 387
Presumption of death following catastrophic event - SB 70
Reasonable costs and attorneys' fees awarded - HB 79

Civil Procedure

\$15,000 personal property exemption in probate of estates - SB 262
Jury system, administration of - HB 781

Civil Rights

DNA, expansion of criminal database - HB 4
School districts, review of personnel policies - SB 166

Coal

Coal miner stamp, urge issuance by the U.S. Postal Service - HCR 12
Competitiveness of Kentucky coal, study of - HCR 244
Extraction of coal, permit requirement exemption - HB 405
Merchant electric generating facilities, regulation of siting of - SB 257
Reorganization, Labor Cabinet, Coal Workers' Pneumoconiosis Fund - HB 488
Unmined minerals, method of assessment for tax - HB 243

Commendations and Recognitions

"Hays Bridge," designation of in Breathitt County - SJR 16
"Lynn Dawson Bridge," designate in Logan County - SJR 42
"Ralph Smith Bridge," designate in Livingston County - SJR 156
"Robert M. Collins Highway," designating US 23 in Letcher County - SJR 24
Coal miner stamp, urge issuance by the U.S. Postal Service - HCR 12
Firefighters and Emergency Medical Personnel Day - HCR 19
Little, N. Clayton, name connector road in Virgie, Ky. - SJR 23

Index

Ramsey, Frank, "Frank Ramsey, Jr. Drive", naming - HJR 5
Robert Damron, road sign in Pikeville, honoring - HJR 3
Todd, Dr. Lee Trover - HJR 4

Commerce

Economic development incentives, priority - HB 166
Local industrial development authorities, conveyance and disposal of property - HB 549
Mail solicitation, use of indorsable checks - HB 688
Omnibus revisions related to the new economy initiatives - HB 525
Telephone solicitation, regulation and definition of - HB 47
Uniform commercial code, government debt issuance exempted from - HB 649
West Kentucky Corporation, addition of Green County to - HB 98

Communications

Mobile telecommunications, taxation of - HB 634
Telecommunications Devices for the Deaf, funding mechanism for - HB 416

Confirmation of Appointments

Agricultural Development Board, Vickie Yates Brown - HCR 66
Baker, Walter A., Council on Postsecondary Education - HCR 58
Barlow, Doris S., Education Professional Standards Board - HCR 55
Catron, Stephen B., Governor's Postsecondary Education Nominating Committee - HCR 285
Council on Postsecondary Education, John R. Hall - HCR 56
Darrell, Barton D., Council on Postsecondary Education - HCR 59
Guess, Susan Shaffer, Council Postsecondary Education - HCR 57
Kruzner, Sheila Crist, Long-Term Policy Research Center Board - HCR 62
M. Mark Wasiesko, Education Professional Standards Board - HCR 52
Miller, Dr. Penny M., reappointment to the Long-Term Policy Research Center Board - HCR 63
Mine
Safety Review Commission, Collier, Bayard - HCR 70

Safety Review Commission, Tackett, Charles M. - HCR 71
Safety Review Commission, Whitledge, William R. - HCR 72
Moore, Samuel E., Agricultural Development Board - HCR 64
Poynter, Willa H., Agricultural Development Board - HCR 65
Stull, Thomas James, Education Professional Standards Board - HCR 53
Waldrop, LaVeren M., Governor's Postsecondary Education Nominating Committee - HCR 286
Welch, Joe M., Education Professional Standards Board - HCR 54

Constitution, Ky.

Corporations, repeal of constitutional provisions - SB 120

Consumer Affairs

Credit card account numbers to telemarketers, prohibit provision of - HB 199
Mail solicitation, use of indorsable checks - HB 688
Mechanics' and materialman's lien - HB 171
Theft of identity and improperly obtaining financial information - HB 79

Contracts

Government purchasing contracts, food or meal services - HB 484
Mail solicitation, use of indorsable checks - HB 688
State buildings, guaranteed energy savings performance contracting - SB 61

Coroners

Death certificate, cause of death, diabetes to be listed as - SB 113; HB 279

Corporations

Bank franchise tax, update Internal Revenue Code reference date - HB 531
Corporation statutes, revision - SB 121
Limit Kentucky Constitution impact on, proposed constitutional amendment - SB 120
West Kentucky Corporation, addition of Green County to - HB 98

Index

Corrections and Correctional Facilities, State

Assault 3rd degree, jail transportation officer - HB 333
Concurrent jurisdiction, federal prisons - HB 143
Correctional employee career retention program - HB 184
Department of Corrections, Personnel Division - SB 149
DNA, expansion of criminal database - HB 4
Observing or photographing person in custody, permitted when - HB 133
Omnibus revision, correctional matters - HB 86

Corrections Impact

Assault 3rd degree, jail transportation officer - HB 333
Computer, unlawful access to - HB 193
Concurrent jurisdiction, federal prisons - HB 143
Correctional employee career retention program - HB 184
Criminal cases, District and Circuit Courts - HB 452
Date rape drug prevention act - SB 25
DNA, expansion of criminal database - HB 4
Juveniles, detention of - HB 144
Kentucky Board of EMS, omnibus revision - HB 469
Kidnapping, child - SB 26
Methamphetamine offenses committed in the presence of a minor, increase penalty - HB 644
Military heritage sites and objects, preservation of - HB 62
Notice to victim of parole consideration - HB 142
Omnibus revision, correctional matters - HB 86
School employees, assault upon - SB 80
Sex offenses, criminal penalties for - SB 227
Theft of identity and improperly obtaining financial information - HB 79
Threatening or retaliating against - HB 571

Counties

Acceptance of debit and credit cards, option to apply transaction fee - SB 126
Adult day health care services, requirement for - SB 143
Agricultural or horticultural land assessment - SB 179
Ambulances, requirements for - SB 196
Assault 3rd degree, jail transportation officer - HB 333

Body piercing businesses, registration in local or district health departments for - HB 29
Cemetery care - HB 521
Chapter 75 volunteer fire districts, merger incentive - SB 66
Community charitable foundations - HB 503
Consolidated local government - HB 659
Criminal indigent defendants, defense of, responsibility for - HB 487
Detectives, county attorney to hire, authorization for - HB 52
Disaster relief fund, study creation of - HCR 132
Divided referendum process for social security participation - HB 574
Economic development incentives, priority - HB 166
EMS personnel, residency requirement - SB 125
Environmental impact fee and tipping fee funds, receipt of - HB 174
Fee office administration, continue to operate as if over 70,000 when population drops below - SB 112
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
First class cities, property tax, certificates of delinquency due date - SB 138
Jailers with life safety facilities or closed facilities, allow training and incentive for - HB 478
Joint sewer agencies, uniform rates, exemption - HB 739
Juvenile detention and education programs - HB 145
Kentucky
Law Enforcement Foundation Program Fund, sheriff participation - HB 156
Retirement Systems, hazardous members' air time - HB 427
Law enforcement employee, residence requirement - SB 141
Local
industrial development authorities, conveyance and disposal of property - HB 549
industrial development authority, membership increase - SB 134
Loss of life benefit from volunteer firefighters - HB 519
Lost and missing persons, search for - HB 381
Manufactured housing, regulation of - HB 417
Model procurement code, small purchase limit - HB 736
Omnibus revisions related to the new economy initiatives, local taxation - HB 525
Overtime pay, authorize compensatory time in lieu of for county employees - HB 596

Index

Pilot program for blind voters, establishment of - SB 128
Property valuation administrators, training for - HB 120
Regional code of ethics board, allow - HB 357
Retirement,
Kentucky Retirement Systems, omnibus update - HB 309
survivor benefits, death in the line of duty - HB 438
Sheriffs and qualified deputy sheriffs, authorization to carry concealed weapons - HB 97
Sheriffs,
increase fees - HB 175
monthly expense advancements, increase - HB 218
Special district budgets and descriptive information, filing time for - HB 344
Tax base coordination agreements - HB 314
Thermal vision grant program, county firefighters, eligibility - HB 293
Urban renewal and redevelopment - HB 615
Vehicle emissions tests to comply with national air standards, alternatives to, development of - HB 618
Voluntary telecommunications career development training - HB 154
West Kentucky Corporation, addition of Green County to - HB 98
Zoning regulations, placement of qualified manufactured homes - SB 197

Counties of 75,000 or More

Jury system, administration of - HB 781

Counties with Cities of the First Class

Property tax, certificates of delinquency due date - SB 138

Counties with Cities of the Second Class

Joint sewer agencies, uniform rates, exemption - HB 739

Counties, Urban

Ambulances, requirements for - SB 196
Board of health, membership of - HB 464
Overtime pay, authorize compensatory time in lieu of for county employees - HB 596
Retirement, police and fire - SB 184

County Clerks

Absentee voting - HB 23
Certificate of election, county clerk issuance of - HB 378
Filing of statement of consideration for real estate - HB 270
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
Office administration, continue to operate as if over 70,000 when population drops below - SB 112
Overtime pay, authorize compensatory time in lieu of for county employees - HB 596
Special district budgets and descriptive information, filing time for - HB 344

County Judge/Executives

Local industrial development authority, membership increase - SB 134
Overtime pay, authorize compensatory time in lieu of for county employees - HB 596

Court of Appeals

Threatening or retaliating against - HB 571

Court, Supreme

Confidential information and privileges, application to counselors and psychotherapists - SB 90
Threatening or retaliating against - HB 571

Courts

Children's advocacy centers, provide civil and criminal immunity for - HB 393
Department of Public Advocacy, duties of - HB 487
Family court, domestic relations commissioner, abolition of - HB 383
Jury system, administration of - HB 781
Juvenile justice system, revisions to - HB 144

Courts, Circuit

\$100 court costs upon criminal conviction - HB 452
Abandoned infants, placement and custody, parental rights - SB 55
Child's right to counsel - HB 146

Index

Family court, domestic relations commissioner, abolition of - HB 383
Prisoner release, parties notified - HB 93
Surface mining violation, access to abate - HB 809
Threatening or retaliating against - HB 571

Courts, District

\$100 court costs upon criminal conviction - HB 452
\$15,000 personal property exemption in probate of estates - SB 262
Abandoned infants, placement and custody, parental rights - SB 55
Child's right to counsel - HB 146
Family court, domestic relations commissioner, abolition of - HB 383
Jury system, administration of - HB 781
Juvenile detention and education programs - HB 145
Presumption of death following catastrophic event - SB 70
Threatening or retaliating against - HB 571

Courts, Fiscal

Ambulances, requirements for - SB 196
Special district budgets and descriptive information, filing time for - HB 344

Crime Victims

Children's advocacy centers, prohibit disclosure of confidential information by - HB 393
Date rape drug prevention act - SB 25
Form of restitution to be awarded - HB 79
Kidnapping, child - SB 26
Notice to victim of parole consideration - HB 142
Parole hearing, notice of - SB 222
Petitioner of domestic violence order, notification that respondent attempted to purchase firearm - SB 89
Sexual Assault Response Team Advisory Committee, creation of - HB 308
Stalking, application for permanent restraining orders - HB 428
Video voyeurism - HB 130

Crimes and Punishments

Assault 3rd degree, jail transportation officer - HB 333
Boat accident reporting threshold and safe boating class - HB 453

Child's right to counsel - HB 146
Class A misdemeanor, violation of permanent restraining order - HB 428
Computer, unlawful access to - HB 193
Concurrent jurisdiction, federal prisons - HB 143
Date rape drug prevention act - SB 25
DNA, expansion of criminal database - HB 4
DUI license revocation, ignition interlock device - HB 652
Firearm, notification to petitioner of domestic violence order that respondent attempted to purchase - SB 89
Improperly obtaining financial information - HB 79
Invasion of privacy, crime of - HB 133
Juvenile justice system, revisions to - HB 144
Kentucky board of EMS, omnibus revision - HB 469
Kidnapping, child - SB 26
Lottery vending machines in cashier's line of sight, required - HB 232
Methamphetamine offenses, increase penalty - HB 644
Military heritage site or object, damaging - HB 62
Notice to victim of parole consideration - HB 142
Omnibus revision, correctional matters - HB 86
Prisoner release, parties notified - HB 93
School employees, assault upon - SB 80
Sex offenses, criminal penalties for - SB 227
Theft of identity, trafficking in - HB 79
Video voyeurism - HB 130

Criminal Procedure

\$100 court costs upon criminal conviction - HB 452
Assault 3rd degree, jail transportation officer - HB 333
Child's right to counsel - HB 146
Computer, unlawful access to - HB 193
DNA, expansion of criminal database - HB 4
DUI license revocation, ignition interlock device - HB 652
Horse Park police - HB 587
Invasion of privacy, crime of - HB 133
Jury system, administration of - HB 781
Kentucky board of EMS, omnibus revision - HB 469
Kidnapping, child - SB 26
Methamphetamine offenses, increase penalty - HB 644
Military heritage site or object, damaging - HB 62
Notice to victim of parole consideration - HB 142
Omnibus revision, correctional matters - HB 86
Parole Board, responsibilities of - SB 222

Index

Prisoner release, parties notified - HB 93
Sexual assault examination, out-of-state provider,
payment to - HB 308
Stalking, application for permanent restraining
orders - HB 428
Video voyeurism - HB 130

Dairying and Milk Marketing

High calcium food or beverage, purchasing
preference - HB 484
Milk Marketing Law, repeal of - HB 346

Data Processing

Computer, unlawful access to - HB 193

Deaths

\$15,000 personal property exemption in probate of
estates - SB 262
Death certificate, cause of death, diabetes to be
listed as - SB 113; HB 279
Deceased non-resident veteran married to
Kentucky resident, waiver of tuition for
dependents - HB 112
GAP claims, inclusion of deceased individuals -
HB 554
Organ donation, promotion of - SB 36

Disabilities and the Disabled

Accessible format textbooks and instructional
materials - SB 243
Assistance dogs, public places, access to - SB 4
Assistive devices, Cabinet for Health Services to
develop network for the distribution of used -
HJR 148
Development Disabilities Council, change
membership of and confirm Executive Order
relating to - SB 131
Hearing aids and related services, health insurance
coverage for - SB 152
Kentucky Early Intervention System, transfer of,
Executive Order 2001-1322 - HB 196
Legislators' and judges' retirement, death benefit
for disabled child - HB 622
Long-term care facilities, Type A and Type B
violations, civil penalties for, decrease in - SB
203
Medications and health care in schools, provision
of - HB 126
Pervasive developmental disorders, services for
children - HB 455

Pilot program for blind voters, establishment of -
SB 128
Postsecondary institutions, tuition waivers for
dependents of veterans - HB 115
Presumption of death following catastrophic event
- SB 70
Supports for community living, waiver
requirements for funds - HB 455
Telecommunications Devices for the Deaf, funding
mechanism for - HB 416

Disasters

Department of Military Affairs, preparedness and
response to terrorism - HB 258
Disaster relief fund, study creation of - HCR 132
Lost and missing persons, search for - HB 381
National Guard, Soldiers' and Sailors' Civil Relief
Act, applicability of - HB 720
Presumption of death following catastrophic event
- SB 70

Diseases

Allergies, emergency treatment for - SB 196
Diabetes, death certificate, cause of death on - SB
113; HB 279
HIV/AIDS Advisory Council, increase
membership of - SB 130
HIV/AIDS, services and funding relating to - SCR
76
Inherited metabolic disease, health insurance,
removal of cap on - HB 395
Long-term care facilities, immunization
requirements for - HB 69

Distilled Spirits

Grape and Wine Council, creation of - HB 855

Dogs

Assistance for disabled, public places, access to -
SB 4
Licensing requirements, field trials, competitions,
and training exempted - HB 671
Special spay neuter license plate, create - SB 7

Domestic Relations

\$15,000 personal property exemption in probate of
estates - SB 262

Index

Domestic violence order, notification to petitioner that respondent attempted to purchase firearm - SB 89
Family court, domestic relations commissioner, abolition of - HB 383
Revenue Cabinet memoranda of agreement with the Cabinet for Families & Children, collection for - SB 133
Sexual Assault Response Team Advisory Committee, creation of - HB 308

Drugs and Medicines

Asthma medication, self-administration, permit student - HB 353
Controlled substances, real-time electronic monitoring, pilot study of - HB 26
reporting requirements for - HB 26
Date rape drug prevention act - SB 25
Dental hygienists, anesthesia administration authority - HB 467
Emergency medical technicians, epinephrine administration by - SB 196
Health departments, nurses dispensing in - HB 67
Immunizations, long-term care facility, negotiated vaccine price for - HB 69
Long-term care facilities, immunization requirements for - HB 69
Medicaid, copayments, requirements for - HB 283
pharmacy and therapeutics committee, creation of - HB 103
pharmacy program, copayment limits for - HB 283
study on dispensing fees, report required - HB 170
Medical practice and licensure, physician assistants, requirements for - HB 617
Medications and health care in schools, provision of - HB 126
Prescription drug coverage for seniors, study of - SCR 185

Economic Development

Cabinet for Workforce Development, reorganization - HB 343
Commission on Small business Advocacy, membership increase - HB 810
Economic development incentives, priority - HB 166
Foreign trade zones, personal property tax exemptions - HB 715

Kentucky-grown perishables, state purchase of, requirement for - SB 13
Lexington/Big Sandy Rail Trail task force, creation of - SCR 92
Local industrial development authorities, conveyance and disposal of property - HB 549
industrial development authority, membership increase - SB 134
Office of Agritourism, Agritourism Advisory Council, creation of - HB 654
Omnibus revisions related to the new economy initiatives - HB 525
Tourism Development Act, tourism attraction, specific lodging facilities, inclusion of - HB 372
West Kentucky Corporation, addition of Green County to - HB 98

Education, Elementary and Secondary

Accessible format textbooks and instructional materials - SB 243
Achievement gaps, reducing - SB 168
Advanced placement courses - SB 74
Asthma medication, self-administration, permit student - HB 353
Breakfast and lunch programs, purchasing preference - HB 484
Burial honor guard program, academic credit for - HB 231
Classified employee, qualification as a - HB 282
Community charitable foundations - HB 503
Designation of the Louisville Science Center as the State Science Center of Kentucky - HB 749
Diplomas, award of to World War II veterans - HB 45
Economic education, implementation of recommendations - HJR 25
Education
Assessment and Accountability Review Subcommittee membership - HB 292
Professional Standards board, confirmation, Joe M. Welch - HCR 54
Professional Standards Board, confirmation, Thomas James Stull - HCR 53
Educational records, access to military recruiters - HB 110
Foster children, definition of immediate family - HB 56
Future Educators Clubs - HJR 188
Grants for extended school services - HB 626
Health insurance coverage, state-sponsored program - HB 846
Hiring, school-based decision making councils - HB 55

Index

International education programs - SCR 142
Interscholastic athletics - HB 593
Kentucky
Department of Education, reorganization of - SB 147
Education Excellence Scholarship Program, eligibility - HB 330
educational excellence scholarship awards, children of military personnel, eligibility - HB 59
Housing Corporation benefits, teachers eligible for - SB 45
Teachers' Retirement System, omnibus revisions - HB 637
Medications and health care in schools, provision of - HB 126
Nonpublic schools, Kentucky High School Athletics Association members - SB 210
schools, voluntary criminal background checks - HB 595
Office of Education Accountability, duties of - SB 166
Primary election, permit school closing for - HB 529
PTA license plate, creation - HB 254
School employees, assault upon - SB 80
State assessment results reporting - HB 621
Teacher
certification, conditional certificate - SB 192
compensation, professional compensation fund, teacher certification fund - HB 402
salary reductions - HB 332
tribunals - SB 211
Vision screening - SB 207

Education, Finance

Community charitable foundations - HB 503
Kentucky Higher Education Assistance Authority, Kentucky Higher Education Student Loan Corporation - HB 505
Postsecondary education, prepaid tuition program - HB 386
Professional compensation fund, teacher certification fund, professional growth fund - HB 402
Student financial aid, eligibility for - HB 684

Education, Higher

Bluegrass State Skills Corporation, eligibility for programs - HB 166

Body armor grant, include public university police - HB 338
Campus safety and fire prevention - HB 829
Capital projects, quarterly reporting of - HB 599
Council
on Postsecondary Education, confirmation, Barton D. Darrell - HCR 59
on Postsecondary Education, confirmation, Walter A. Baker - HCR 58
on Postsecondary Education, include private college member - HB 191
on Postsecondary Education, membership, confirmation, John R. Hall - HCR 56
on Postsecondary Education, membership, confirmation, Susan Shaffer Guess - HCR 57
Dual credit and enrollment - SB 74
Governor's
Postsecondary Education nominating Committee, confirmation, LaVerne M. Waldrop - HCR 286
Postsecondary Education Nominating Committee, confirmation, Stephen B. Catron - HCR 285
Health insurance coverage, state-sponsored program - HB 846
Kentucky
Education Excellence Scholarship Program, definitions - HB 330
Higher Education Assistance Authority, Kentucky Higher Education Student Loan Corporation - HB 505
Higher Education Assistance Authority, verification of loan repayment status - HB 296
Higher Education Student Loan Corporation, bonding authority - HB 131
Teachers' Retirement System, omnibus revisions - HB 637

Nursing scholarship, foundation to provide - SB 289

Omnibus revisions related to the new economy initiatives - HB 525

Prepaid tuition program - HB 386

Student financial aid, eligibility for - HB 684

Tobacco Health and Research Institute, reorganization of - SB 86

Tuition

waiver for dependents of non-resident veterans married to Kentucky residents - HB 112

waiver, adopted and foster children, eligibility and reporting requirements - HB 202

Western Kentucky University, other funds approved for renovation - SB 54

Education, Vocational

Tuition waiver for dependents of non-resident veterans married to Kentucky residents - HB 112

Index

Vocational training institutes, tuition waivers for dependents of veterans - HB 115

Effective Dates, Delayed

Architects, State Board of Examiners and Registration, membership - HB 207
CDL applicants, background check required - HB 189
Effective August 1, 2002 - HB 452
Sales and use tax exemptions, deer and elk farming, August 1, 2002 - HB 517
Taxation, match system for delinquent taxpayers - HB 614

Effective Dates, Emergency

Abandoned infants - SB 55
Absentee voting - HB 23
Asthma medication, self-administration, permit student - HB 353
Burial honor guard program, creation of, July 1, 2002 - HB 231
CDL applicants, background check required - HB 189
Commercial driver training schools, omnibus revision - HB 190
Department of Military Affairs, preparedness and response to terrorism - HB 258
Electronic system for monitoring controlled substances - HB 26
Emergency - HB 339
Joint sewer agencies, uniform rates, exemption - HB 739
Legislative Claims Bill - HB 707
Medicaid, study on dispensing fees, report required - HB 170
State representative and senatorial districts, statewide plans - HB 1
Teacher compensation - HB 402
Western Kentucky University, other funds approved for renovation - SB 54

Effective Dates, Retroactive

Constitutional officers, BR 1122 - HB 194
Postsecondary financial aid, academic year, 2001-2002 - HB 684
Tax liability of managers and partners - HB 614

Elections and Voting

Absentee voting - HB 23

Affidavit for voting, removal of requirement for - HB 33
Certificate of election, county clerk issuance of - HB 378
County election expenses, reimbursement of - HB 559
Flags at voting locations - HB 32
Mayor, term of office for reelection purposes, clarification of - HB 297
Pilot program for blind voters, establishment of - SB 128
Precinct
election officers, 17 year olds to serve as - HB 251
reporting requirements - HB 559
Precinct, limit on number of voters in - HB 559
Primary
election date, change - HB 31
election, permit school closing for - HB 529
Voter registration - HB 32
Write in candidates, filing deadline for - HB 36

Embalmers and Funeral Directors

Condition for licensure, student loan repayment status - HB 296

Emergency Medical Services

Abandoned infants, placement and custody, parental rights - SB 55
Ambulances, requirements for - SB 196
Emergency
medical technicians, employment protections - HB 388
medical technicians, epinephrine administration by - SB 196
EMS personnel, residency requirement - SB 125
Firefighters and Emergency Medical Personnel Day - HCR 19
Kentucky board of EMS, omnibus revision - HB 469
Voluntary telecommunications career development training - HB 154

Energy

Merchant electric generating facilities, regulation of siting of - SB 257
Municipal utilities, Interconnection agreements with - SB 176
State buildings, guaranteed energy savings performance contracting - SB 61

Index

Engineers and Surveyors

Condition for licensure, student loan repayment status - HB 296

Environment and Conservation

Environmental impact fees, assessed and collected - HB 174
Hazardous waste assessment, continue past June 30, 2002 - HB 244
Kentucky Watershed Task Force, creation - SCR 17
Kentucky's elk herd, Fish and Wildlife Resources, efforts, educational support for - SCR 49
Lexington/Big Sandy Rail Trail task force, creation of - SCR 92
Merchant electric generating facilities, regulation of siting of - SB 257
Petroleum storage tank fund, fee structure - SB 193
Tax policy, effect of on forest management, study directed - HCR 13
Vehicle emissions tests to comply with national air standards, alternatives to, development of - HB 618
Waste tire fee, extended to 2006 - HB 422

Escheats

Presumption of death following catastrophic event - SB 70

Fairs

Amusement rides and attractions, permitting and inspection of - HB 473

Federal Laws and Regulations

Divided referendum process for social security participation - HB 574
Land Between the Lakes, cemeteries, governance of - HCR 104
Overtime pay exemption, employees who are employed as a seaman, as provided for - HB 474
Soldiers' and Sailors' Civil Relief Act, National Guard, applicable to - HB 720

Fees

Criminal cases, District and Circuit Courts - HB 452

Environmental impact fees and tipping fees, assessment and collection - HB 174
Hazardous waste assessment, continue past June 30, 2002 - HB 244
Manufactured housing, fees for - HB 417
Occupational therapy licensure, amends KRS 319A, promulgate fees by regulation - HB 261
Private investigators, licensure board, application, examination, license - SB 139
Sheriffs, increase - HB 175
Telecommunications Devices for the Deaf, funding mechanism for - HB 416
Waste tire fee, extended to 2006 - HB 422

Fiduciaries

\$15,000 personal property exemption in probate of estates - SB 262
Investments of trust funds, authorized - HB 358

Fire Prevention

Campus safety - HB 829
Chapter 75 volunteer fire districts, merger incentive - SB 66
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
protection sprinkler contractors, liability insurance for - SB 117

Firearms and Weapons

Body armor grant, include public university police - HB 338
Domestic violence order, notification to petitioner that respondent attempted to purchase firearm - SB 89
Sheriffs and qualified deputy sheriffs, authorization to carry - HB 97

Firefighters and Fire Departments

Ambulances, requirements for - SB 196
Campus safety - HB 829
Chapter 75 volunteer fire districts, merger incentive - SB 66
Emergency medical technicians, epinephrine administration by - SB 196
EMS personnel, residency requirement - SB 125
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
Firefighters and Emergency Medical Personnel Day - HCR 19

Index

Loss of life benefit from volunteer firefighters - HB 519
Lost and missing persons, search for - HB 381
Retirement, urban-county government - SB 184
Thermal vision grant program, creation of - HB 293

Fiscal Note

Body piercing, written notarized parental consent for - HB 29
Dependents of veterans, waiver of postsecondary tuition for - HB 115
DNA, expansion of criminal database - HB 4
Motor fuel tax, dealer credit when used for agriculture - HB 43
Tuition, waiver for dependents of non-resident veterans married to Kentucky residents - HB 112

Fish and Wildlife

Consent requirement to enter private property, field trials, competitions, and training exempted - HB 671
Kentucky's elk herd, Fish and Wildlife Resources, efforts, educational support for - SCR 49
Licensing requirements, field trials, competitions, and training exempted - HB 671
Paddlefish, study of - HJR 210
Pine Mountain Trail State Park, establishment of, land use, ownership and lease - HB 556
Vehicles transporting to Fish & Wildlife event or camp, exempt from regulation as a motor carrier - HB 755

Flood Control and Flooding

Kentucky Watershed Task Force, creation - SCR 17

Foods

Grape and Wine Council, creation of - HB 855
Honey, processing and sale of - HB 400

Forests and Forestry

Effect of on forest management, study directed - HCR 13
Pine Mountain Trail State Park, establishment of, land use, ownership and lease - HB 556

Fuel

Agriculture use, dealer tax credit allowed - HB 43
Dyed diesel fuel, Revenue Cabinet's tracking procedures, clarification - HB 662
Merchant electric generating facilities, regulation of siting of - SB 257

General Assembly

Administrative regulations, ratify findings of legislative committees - HB 728
Capital projects, quarterly reporting of - HB 599
Constitutional officers, pay increase - HB 194
Education Assessment and Accountability Review Subcommittee membership - HB 292
Judicial excess benefit plan established, limitation on purchase, transfer deleted - HB 590
Legislative Branch Budget - HB 657
Legislators' retirement, death benefit for disabled child - HB 622
Members, resignation from office - HB 801
Office of Education Accountability, duties of - SB 166
Public
Advocacy Commission, President of the Senate's power to appoint a member of - HB 487
Advocacy Commission, Speaker's power to appoint a member of - HB 487
Reviser's Bill, 2002 Regular Session - HB 723
State representative and senatorial districts, statewide plans - HB 1
Tobacco Task Force, reauthorization of - SCR 47
Western Kentucky University, other funds approved for renovation - SB 54

Governor

Appointments, two more Kentucky sheriffs to the Law Enforcement Council - SB 156
Executive
Order 2001-1173 - SB 131
Order 2001-1217 - HB 421
Order 2001-1250 - HB 343
Order 2001-1293 - SB 149
Order 2001-1294 - HB 488
Order 2001-1322 - HB 196
Order 2001-1411 - HB 320
Order 2001-542 - SB 130
Order 2001-609 - HB 390
Order 2001-794 - HB 109
Order 2001-860 - HB 631
HIV/AIDS, funding of - SCR 76

Index

Kentucky Department of Education, reorganization of Executive Order 2001-975 - SB 147

Long-Term

Policy Research Center Board, confirmation, Kruzner, Sheila Crist - HCR 62

Policy Research Center Board, reappointment of Dr. Penny M. Miller - HCR 63

Public Advocacy Commission, power to appoint members of - HB 487

Strategic plans, requirement of - SB 239

Grain

Storage, local board involvement repealed - HB 389

Health and Medical Services

Adult day health care services, requirement for - HB 26

Adult day health care services, requirement for - SB 142

Assistive devices, network for the distribution of used - HJR 148

Asthma medication, self-administration, permit student - HB 353

Body piercing, written notarized parental consent for - HB 29

Condition for licensure, student loan repayment status - HB 296

Controlled substances, real-time electronic monitoring, pilot study of - HB 26

Dental hygienists & certified dental assistants, scope of practice expansion, training & certif. - HB 467

Development Disabilities Council, change membership of and confirm Executive Order relating to - SB 131

Emergency medical technicians, epinephrine administration by - SB 196

Health

departments, nurses dispensing in - HB 67

insurance, income tax deduction for vouchers - HB 280

HIV/AIDS Advisory Council, increase membership of - SB 130

HIV/AIDS, services and funding relating to - SCR 76

Hospital licensure inspection requirements, national accreditation equivalency for - SB 164

ICF/MR respite beds, exempt from certificate of need process - SB 185

Insurance purchasing outlets, creation of - HB 281

Insurance, inherited metabolic disease coverage, removal of cap on - HB 395

Kentucky

Birth Surveillance Registry, outpatient and laboratory records submitted to - SB 219

board of EMS, omnibus revision - HB 469

Early Intervention System, transfer of, Executive Order 2001-1322 - HB 196

License to practice, immediate temporary suspension, authority for - SB 11

Long-term care facilities, immunization requirements for - HB 69

Medicaid Services, reorganization, Executive Order 2001-1217 - HB 421

Medicaid,

copayments, exclusions from - HB 283

copayments, requirements for - HB 283

health care provider, medical records maintained by - SB 91

pharmacy and therapeutics committee, creation of - HB 103

study on prescription dispensing fees, report required - HB 170

Medical practice and licensure, board actions - HB 617

Medical practice and licensure, physician assistants, requirements for - HB 617

Medications and health care in schools, provision of - HB 126

Nursing

homes and hospice programs, nail and hair treatments, permissible - SB 195

scholarship, foundation to provide - SB 289

Office of Women's Physical and Mental Health, grants and bequests to be accepted by - HB 327

Organ donation, promotion of - SB 36

Out-of-state dentists and dental hygienists, charitable health care services, process for licensing - SB 153

Prescription drug coverage for seniors, study of - SCR 185

Professional counselor, licensing of - HB 57

Sports physicals, medical professionals who may perform - SB 142

Urban-county health department, ad valorem tax for - HB 464

Health Benefit Mandate

Insurance, inherited metabolic disease coverage, removal of cap on - HB 395

Payment for anesthesia - HB 39

Respiratory therapist, qualifications for credentialing - HB 302

Index

Highways, Streets, and Bridges

"Earl Johnson Memorial Bridge," Pike county - SJR 109
"Hays Bridge", designation of in Breathitt County - SJR 16
"Lynn Dawson Bridge," designate in Logan County - SJR 42
"Ralph Smith Bridge", designate in Livingston County - SJR 156
"Robert M. Collins Highway," designating US 23 in Letcher County - SJR 24
"Veterans Memorial Highway", US 421 in Clay County - HJR 77
12th St Bridge, Kenton Co., Dr. Poweleit, renamed for - SJR 3
Application process for a driver's license or I.D. card, omnibus revision - HB 188
Businesses eligible for a specific service highway sign, inclusion of shopping malls - SB 238
CDL applicants, background check required - HB 189
Connector road in Virgie, Ky., rename in honor of N. Clayton Little - SJR 23
Environmental impact fees and tipping fees, use of funds by counties to clean roads - HB 174
Frank Ramsey, Jr. Drive, naming - HJR 5
Horse Park police - HB 587
KY
1747, Jefferson Co., name a bridge in memory of Peyton Hoge III - HJR 9
693, Greenup Co., Sergeant Beverly "Verly" Miller, bridge named for - SJR 39
Robert Damron, road sign in Pikeville, honoring - HJR 3
State roads, name in memory of state troopers killed in the line of duty - SB 18
U.S. 41 in Hopkins Co., name a segment in honor of Dr. Lee Trover Todd - HJR 4

Historical Affairs

Kentucky Historical Society, attachment to, membership change - SB 229
Lexington/Big Sandy Rail Trail task force, creation of - SCR 92
Military heritage sites and objects, preservation of - HB 62
Potential for a farming museum, study requested of - HCR 10
State flag, code of etiquette - SB 267
Zoning regulations, placement of qualified manufactured homes - SB 197

Holidays

Firefighters and Emergency Medical Personnel Day - HCR 19

Hospitals and Nursing Homes

Abandoned infants, placement and custody, parental rights - SB 55
Continuing care retirement community beds, report to 2004 General Assembly required for - HB 339
care retirement community, data collection required by - HB 339
care retirement community, time limits on establishing nursing home beds by - HB 339
Hospital licensure inspection requirements, national accreditation equivalency for - SB 164
ICF/MR respite beds, exempt from certificate of need process - SB 185
Kentucky Birth Surveillance Registry, outpatient and laboratory records submitted to - SB 219
Long-term care facilities, Type A and Type B violations, civil penalties for, decrease in - SB 203
Medicaid, health care provider, medical records maintained by - SB 91
Medical practice and licensure, physician assistants, requirements for - HB 617
Pneumococcal and influenza immunization, requirements for - HB 69
Sexual assault examination, out-of-state provider, payment to - HB 308

Hotels and Motels

Tourism Development Act, tourism attraction, specific lodging facilities, inclusion of - HB 372
Transient room tax - HB 679

Housing, Building, and Construction

Fire protection sprinkler contractors, liability insurance for - SB 117
Kentucky Housing Corporation benefits, teachers eligible for - SB 45
Manufactured housing dealer, licensing requirements - HB 152
housing, regulation of - HB 417
Practice of architecture, construction services, inclusion of - SB 230
Real estate broker liens, creation of - SB 170
Zoning regulations, placement of qualified manufactured homes - SB 197

Index

Inspections

Ambulances, requirements for - SB 196
Amusement rides and attractions, permitting and inspection of - HB 473
Controlled substances, real-time electronic monitoring, pilot study of - HB 26
Department of Agriculture - HB 470
DUI license revocation, ignition interlock device - HB 652

Insurance

Agents, licensing of - HB 165
Insurance purchasing outlets, creation of - HB 281
Kentucky Group Health Insurance Board, addition of members to - HB 163
Limited health service benefit plans, establishment - SB 146
Premium surcharge, audit and enforcement - SB 187
Private investigators, license, liability coverage - SB 139
Promotional merchandise, authorization to give - HB 136
Short-term nursing home and long-term care insurance policies - SB 41
Worker's comp, group self-insured association, method of reporting premium, waiver of 10 yr. ban on - HB 625

Insurance, Health

Cancellation, notice of - HB 510
GAP claims, inclusion of deceased individuals - HB 554
Hearing aids and related services, coverage for - SB 152
Income tax deduction for vouchers - HB 280
Inherited metabolic disease coverage, removal of cap on - HB 395
Insurance purchasing outlets, creation of - HB 281
Kentucky Group Health Insurance Board, addition of members to - HB 163
Limited health service benefit plans, establishment - SB 146
Omnibus revision - HB 391
Payment for anesthesia - HB 39
Self-funded health insurance for state employees, study directed - SCR 34
State
employees, bidding areas - HB 821
employees, coverage for - HB 846
employees, mail order drug option - HB 369

Utilization review, appeals and prompt payment of claims - SB 38

Insurance, Motor Vehicle

Coverage on loaned vehicle - HB 260

Interlocal Cooperation

Local
government codes of ethics - HB 357
industrial development authority, membership increase - SB 134

Interstate Cooperation

Kentucky's elk herd, Fish and Wildlife Resources, efforts, educational support for - SCR 49

Jails and Jailers

Assault 3rd degree, jail transportation officer - HB 333
DNA, expansion of criminal database - HB 4
Jailers with life safety facilities or closed facilities, allow training and incentive for - HB 478
Juvenile detention and education programs - HB 145
Observing or photographing person in custody, permitted when - HB 133

Judges and Court Commissioners

Excess benefit plan established, limitation on purchase, transfer deleted - HB 590
Family court, domestic relations commissioner, abolition of - HB 383
Judges' retirement, death benefit for disabled child - HB 622
Senior Status Special Judge pilot project, extension to January 31, 2009 - SB 271
Threatening or retaliating against - HB 571

Judicial Circuits

Commonwealth's attorneys, judicial circuit representation, change - HB 628

Junkyards

Waste tire fee, extended to 2006 - HB 422

Index

Juries and Jurors

Jury system, administration of - HB 781
Threatening or retaliating against - HB 571

Labor and Industry

Coal Workers' Pneumoconiosis (black lung)
provisions, changes in - HB 348
Corporation statutes, revision - SB 121
Mine
Safety Review Commission, confirmation of
appointment, Tackett, Charles M. - HCR 71
Safety Review Commission, confirmation of
appointment, Whitlege, William R. - HCR 72
Safety Review Commission, confirmation of
Collier, Bayard appointment - HCR 70
Overtime
pay, authorize compensatory time in lieu of for
county employees - HB 596
pay, exempt employees who are employed as a
seaman - HB 474
Reorganization, Labor Cabinet - HB 488
Worker's comp, group self-insured association,
method of reporting premium, waiver of 10 yr.
ban on - HB 625

Land Use

Adult day health care services, requirement for -
SB 143
Lexington/Big Sandy Rail Trail task force, creation
of - SCR 92
Manufactured housing, regulation of - HB 417
Pine Mountain Trail State Park, establishment of,
land use, ownership and lease - HB 556
Prescriptive easement - HB 387
Tax policy, effect of on forest management, study
directed - HCR 13
Urban renewal and redevelopment - HB 615
Zoning regulations, placement of qualified
manufactured homes - SB 197

Legislative Research Commission

Constitutional officers, pay increase - HB 194
Education Assessment and Accountability Review
Subcommittee membership - HB 292
Legislative Branch Budget - HB 657
Long-Term
Policy Research Center Board, confirmation,
Kruzner, Sheila Crist - HCR 62
Policy Research Center Board, reappointment of
Dr. Penny M. Miller - HCR 63

Self-funded health insurance for state employees,
study directed - SCR 34
Tobacco Task Force, reauthorization of - SCR 47
Vehicle emissions tests, alternatives to, review
group established - HB 618

Licensing

Ambulances, requirements for - SB 196
Certified
public accountants, examinations and fees,
regulation of - HB 456
public accountants, sales and use tax applications
and authority to act as agents - HB 273
Condition for licensure, student loan repayment
status - HB 296
Dental hygienists and certified dental assistants,
training, licensing, and certification - HB 467
Disciplinary actions, respiratory therapists, board
options - HB 302
Facilities
for the sick, elderly, homeless, and deceased,
cosmetology services at - SB 195
for the sick, elderly, homeless, and deceased, nail
technology services at - SB 195
Grain storage board, local involvement repealed -
HB 389
Hospital licensure inspection requirements,
national accreditation equivalency for - SB 164
Insurance agents and business entities - HB 165
Interior designer certification - HB 207
License to practice, immediate temporary
suspension, authority for - SB 11
Manufactured housing dealer, licensing
requirements - HB 152
Mental
health professionals, disclosure of confidential
information, immunity for - SB 90
health professionals, duty to warn, when liability
attaches - SB 90
Motor vehicle dealers - HB 260
Occupational therapy licensure, amends KRS 319A
- HB 261
Organ donation, promotion of - SB 36
Out-of-state dentists and dental hygienists,
charitable health care services, process for
licensing - SB 153
Pharmacist, minor violation of professional
conduct, expungement from permanent record -
HB 249
Private investigators, qualifications, examination,
fees, licensure board - SB 139
Professional counselor, licensing of - HB 57
Real estate appraisers, board of licensure,
executive director, qualifications - SB 234

Index

Spray painting operations - HB 470

Liens

Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
Mechanics' and materialman's lien - HB 171
Real estate broker liens, creation of - SB 170

Loans and Credit

Condition for licensure, student loan repayment status - HB 296
Financial information, improperly obtaining - HB 79
Kentucky Higher Education Student Loan Corporation, bonding authority - HB 131

Local Government

Adult day health care services, requirement for - SB 143
Cemetery care - HB 521
Chapter 75 volunteer fire districts, merger incentive - SB 66
Code of ethics board - HB 357
Community charitable foundations - HB 503
Consolidated local government - HB 659
Counties, acceptance of debit and credit cards, option to apply transaction fee - SB 126
Crestwood, in Oldham County, reclassification from 6th to 5th - HB 334
Criminal indigent defendants, defense of, responsibility for - HB 487
Department of Local Government, strategic plan, requirement of - SB 239
Divided referendum process for social security participation - HB 574
Fee office administration, continue to operate as if over 70,000 when population drops below - SB 112
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
Insurance premium surcharge, audit and enforcement - SB 187
Jailers with life safety facilities or closed facilities, allow training and incentive for - HB 478
Joint sewer agencies, uniform rates, exemption - HB 739
Law enforcement employee, residence requirement - SB 141
Local industrial development authority, membership increase - SB 134

Loss of life benefit from volunteer firefighters - HB 519
Model procurement code, small purchase limit - HB 736
Monthly estimates and warrants for payment, repeal of - HB 650
Municipal utilities, Interconnection agreements with - SB 176
Overtime pay, authorize compensatory time in lieu of for county employees - HB 596
Police merit system in consolidated local governments - HB 852
Property valuation administrators, training for - HB 120
Sheriffs, increase fees - HB 175
monthly expense advancements, increase - HB 218
Special district budgets and descriptive information, filing time for - HB 344
Tax base coordination agreements - HB 314
Thermal vision grant program, creation of - HB 293
Transient room tax - HB 679
Uniform commercial code, government debt issuance exempted from - HB 649
Urban renewal and redevelopment - HB 615
Zoning regulations, placement of qualified manufactured homes - SB 197

Local Governments, Consolidated

Ambulances, requirements for - SB 196
Divided referendum process for social security participation - HB 574
Health insurance coverage, state-sponsored program - HB 846
Omnibus revision and conforming language - HB 659
Overtime pay, authorize compensatory time in lieu of for county employees - HB 596
Police merit system - HB 852

Local Mandate

Abandoned infants, placement and custody, parental rights - SB 55
Absentee voting - HB 23
Body piercing, written notarized parental consent for - HB 29
Coal Workers' Pneumoconiosis (black lung) provisions, changes in - HB 348
Code of ethics board - HB 357
Concurrent jurisdiction, federal prisons - HB 143

Index

Consolidated local government - HB 659
County election expenses, reimbursement of - HB 559
Criminal cases, District and Circuit Courts - HB 452
Date rape drug prevention act - SB 25
Detectives, county attorney to hire, authorization for - HB 52
Divided referendum process for social security participation - HB 574
DNA, expansion of criminal database - HB 4
EMS personnel, residency requirement - SB 125
Fee funds, use of for solid waste collection and reduction and litter abatement - HB 174
Filing of statement of consideration for real estate - HB 270
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
Health insurance coverage, state-sponsored program - HB 846
Juvenile detention and education programs - HB 145
Juveniles, detention of - HB 144
Kentucky Board of EMS, omnibus revision - HB 469
Medicaid, pharmacy and therapeutics committee, creation of - HB 103
Methamphetamine offenses committed in the presence of a minor, increase penalty - HB 644
Military heritage sites and objects, preservation of - HB 62
license plate, combination with personalized plate - SB 107
Observing or photographing person in custody, permitted when - HB 133
Officer certification and training - HB 157
Omnibus revisions related to the new economy initiatives, local taxation - HB 525
Precinct election officers, 17 year olds to serve as - HB 251
PTA license plate, creation - HB 254
Real property, exclusion of new property for compensating state rate - HB 243
School employees, assault upon - SB 80
Sheriffs, increase fees - HB 175
Uniform commercial code, government debt issuance exempted from - HB 649

Lottery

Lottery vending machines in cashier's line of sight, required - HB 232

Medicaid

Adult day health care services, requirement for - HB 26
Adult day health care services, requirement for - SB 142
Controlled substances, real-time electronic monitoring, pilot study of - HB 26
Copayment, requirement for - HB 283
Dispensing fees, study and report required - HB 170
Medicaid Services, reorganization, Executive Order 2001-1217 - HB 421
Pervasive developmental disorder services, waiver, require application - HB 455
Pharmacy program, copayment limits for - HB 283
Prescription drug coverage for seniors, study of - SCR 185

Memorials

"Earl Johnson Memorial Bridge," Pike county - SJR 109
"Veterans Memorial Highway," US 421 in Clay County - HJR 77
Hoge, Peyton III, name a bridge in Jefferson Co. on KY 1747 in memory of - HJR 9
Miller, Sergeant Beverly "Verly" - SJR 39
Poweleit, Dr. Alvin - SJR 3

Mental Disability

ICF/MR respite beds, exempt from certificate of need process - SB 185
Kentucky Early Intervention System, transfer of, Executive Order 2001-1322 - HB 196
Pervasive developmental disorders, services for children - HB 455
Supports for community living waiver, requirements for funds - HB 455

Mental Health

Kentucky Early Intervention System, transfer of, Executive Order 2001-1322 - HB 196
Mental health professionals, persons qualified to hospitalize or admit - SB 90
Professional counselor, licensing of - HB 57

Index

Military Affairs and Civil Defense

Department
of Military Affairs, Department of Emergency
Management, duties relating to terrorism - HB
258
of Military Affairs, Office of Security
Coordination - HB 258
of Military Affairs, strategic plan, requirement of -
SB 239
Freedom tree, plaque honoring POW/MIAs - HB
583
Military
heritage sites and objects, preservation of - HB 62
recruiters, access to high school campuses - HB
110
recruiters, access to student directory information -
HB 110
National Guard and Reserve members called to
active duty, extension for filing Kentucky income
taxes - SB 178
Reorganization, Department of Military Affairs,
Executive Order 2001-1411 - HB 320
Soldiers' and Sailors' Civil Relief Act, National
Guard, applicable to - HB 720

Minerals and Mining

Coal
miner stamp, urge issuance by the U.S. Postal
Service - HCR 12
Workers' Pneumoconiosis (black lung) provisions,
changes in - HB 348
Competitiveness of Kentucky coal, study of - HCR
244
Extraction of coal, permit requirement exemption -
HB 405
Mine
Safety Review Commission, confirmation of
appointment, Tackett, Charles M. - HCR 71
Safety Review Commission, confirmation of
appointment, Whitley, William R. - HCR 72
Safety Review Commission, confirmation of
Collier, Bayard appointment - HCR 70
Safety Review Commission, reorganization - HB
631
Mines and Minerals Department, technical changes
- HB 792
Oil and gas owners and lessees, pooling orders,
omnibus revision - HB 745
Permits to develop oil and gas wells, one year
extension allowed - HB 705
Unmined minerals, method of assessment for tax -
HB 243

Motor Carriers

Application process for a driver's license or I.D.
card, omnibus revision - HB 188
CDL applicants, background check required - HB
189
Commercial driver training schools, omnibus
revision - HB 190
Vehicles transporting to Fish & Wildlife event or
camp, exempt from regulation as a motor carrier -
HB 755

Motor Vehicles

DUI license revocation, ignition interlock device -
HB 652
Dyed diesel fuel, Revenue Cabinet's tracking
procedures, clarification - HB 662
Insurance coverage on loaned motor vehicles - HB
260
Loaner or rental, alternative tax for - HB 325
Military license plate, combination with
personalized plate - SB 107
Motor vehicle property tax assessment, owner as of
January 1, clarification - HB 812
Organ donation, promotion of - SB 36
Petroleum storage tank fund, fee structure - SB 193
PTA license plate, creation - HB 254
Special spay neuter license plate, create - SB 7
Vehicle emissions tests to comply with national air
standards, alternatives to, development of - HB
618
Waste tire fee, extended to 2006 - HB 422

Notaries

Body piercing, written notarized parental consent
for - HB 29
Place of employment, notary may be appointed
from - HB 87

Notices

Notice to victim of parole consideration - HB 142

Nurses

Alternative to Discipline Program, Board of
Nursing, creation of - HB 376
Ambulances, requirements for - SB 196
Condition for licensure, student loan repayment
status - HB 296

Index

Controlled substances, real-time electronic monitoring, pilot study of – HB 26
Health departments, nurses dispensing in - HB 67
Licensure fees, payment for - HB 376
Medications and health care in schools, provision of - HB 126
Nursing
Incentive Scholarship Grant Review Committee, establishment of - HB 376
license, temporary suspension by Board of Nursing - HB 376
Scholarship program, foundation to provide - SB 289
Sports physicals, permit advanced registered nurse practitioners to perform – SB 142
Sexual assault examination, out-of-state provider, payment to - HB 308

Occupational Safety and Health

Coal Workers' Pneumoconiosis (black lung) provisions, changes in - HB 348
Mine
Safety Review Commission, confirmation of appointment, Tackett, Charles M. - HCR 71
Safety Review Commission, confirmation of appointment, Whitley, William R. - HCR 72
Safety Review Commission, confirmation of Collier, Bayard appointment - HCR 70
Safety Review Commission, reorganization - HB 631

Occupations and Professions

Certified public accountants, sales and use tax applications and authority to act as agents - HB 273
Commercial driver training schools, omnibus revision - HB 190
Condition for licensure, student loan repayment status - HB 296
Continuing education requirements, failure to meet, effect on status as respiratory therapist - HB 302
Dental
hygienists and certified dental assistants - HB 467
services for the indigent, out-of-state practitioners, licensing of - SB 153
Hair dressers and nail technicians, places other than licensed salon, provision of services - SB 195
Insurance agent - HB 165
Interior designer certification - HB 207
License to practice, immediate temporary suspension, authority for - SB 11

Occupational therapy licensure, amends KRS 319A - HB 261
Omnibus revision, correctional matters - HB 86
Pharmacist, minor violation of professional conduct, expungement from permanent record - HB 249
Private investigators, qualifications, examination, fees, licensure board - SB 139
Professional counselor, licensing of - HB 57
Real estate appraisers, board of licensure, executive director, qualifications - SB 234
Sports physicals, medical professionals who may perform – SB 142
Telephone solicitation, regulation and definition of - HB 47

Oil and Natural Gas

Oil and gas owners and lessees, pooling orders, omnibus revision - HB 745
Permits to develop wells, one year extension allowed - HB 705
Unmined minerals, method of assessment for tax - HB 243

Optometrists

Vision screening, school children - SB 207

Parental Rights

Abandoned infants, placement and custody, parental rights - SB 55
Kidnapping, child - SB 26

Parks and Shrines

Horse Park police - HB 587
Military heritage sites and objects, preservation of - HB 62
Pine Mountain Trail State Park, establishment of, land use, ownership and lease - HB 556

Peace Officers and Law Enforcement

Assault 3rd degree, jail transportation officer - HB 333
Controlled substances, real-time electronic monitoring, pilot study of - HB 26
DUI license revocation, ignition interlock device - HB 652
Horse Park police - HB 587
Juvenile justice system, revisions to - HB 144

Index

Juveniles, detention of - HB 144
Kentucky
Law Enforcement Council, membership - SB 156
Law Enforcement Foundation Program Fund,
sheriff participation - HB 156
KLEFP fund, State Police included in - HB 415
Law enforcement employee, residence requirement
- SB 141
Lost and missing persons, search for - HB 381
Officer certification and training - HB 157
Peace officers, employment protections - HB 388
Permanent restraining orders, enforcement - HB
428
Sheriffs and qualified deputy sheriffs, authorization
to carry concealed weapons - HB 97
Sheriffs, and employment contracts for deputy
sheriffs - SB 100
U.S. Customs Service special agent, peace officer
powers for - SB 59
Voluntary law enforcement career development
training - HB 154

Personnel and Employment

Health insurance coverage for state employees,
provisions regarding - HB 846
Laid-off employee, probationary requirement
deleted - HB 589
Long-term care facilities, immunization
requirements for - HB 69
Overtime
pay, authorize compensatory time in lieu of for
county employees - HB 596
pay, exempt employees who are employed as a
seaman - HB 474
Personnel Board, administrative changes - HB 648
Sheriffs, and employment contracts for deputy
sheriffs - SB 100
State employees, authorization of paid leave for
volunteers of American Red Cross - SB 14

Pharmacists

Condition for licensure, student loan repayment
status - HB 296
Controlled substances, real-time electronic
monitoring, pilot study of - HB 26
Medicaid,
copayments, requirements for - HB 283
pharmacy and therapeutics committee, creation of
- HB 103
pharmacy program, copayment limits for - HB
283
study on dispensing fees, report required - HB 170

Minor violation of professional conduct,
expungement from permanent record - HB 249
Prescription drug coverage for seniors, study of -
SCR 185

Physicians and Practitioners

Ambulances, requirements for - SB 196
Condition for licensure, student loan repayment
status - HB 296
Death certificate, cause of death, diabetes to be
listed as - SB 113; HB 279
Emergency medical technicians, epinephrine
administration by - SB 196
HIV/AIDS, services and funding relating to - SCR
76
Long-term care facilities, immunization
requirements for - HB 69
Medicaid,
health care provider, medical records maintained
by - SB 91
pharmacy and therapeutics committee, creation of
- HB 103
Medical practice and licensure, physician
assistants, requirements for - HB 617
Medications and health care in schools, provision
of - HB 126
Sexual assault examination, out-of-state provider,
payment to - HB 308
Sports physicals, medical professionals who may
perform - SB 142
Vision screening, school children - SB 207

Planning and Zoning

Variance, redefinition - SB 143
Zoning regulations, placement of qualified
manufactured homes - SB 197

Police, City and County

Law enforcement employee, residence requirement
- SB 141
Officer certification and training - HB 157
Police merit system in consolidated local
governments - HB 852
Retirement, urban-county government - SB 184
U.S. Customs Service special agent, peace officer
powers for - SB 59
Voluntary law enforcement career development
training - HB 154

Index

Police, State

Body armor grant, include public university police - HB 338
CDL applicants, background check required - HB 189
Child identification, create program for - HB 106
DNA, expansion of criminal database - HB 4
Kentucky Retirement Systems, hazardous members' air time - HB 427
KLEFP fund, State Police included in - HB 415
Law enforcement employee, residence requirement - SB 141
Officer certification and training - HB 157
Retirement,
Kentucky Retirement Systems, omnibus update - HB 309
survivor benefits, death in the line of duty - HB 438
Sexual Assault Response Team Advisory Committee, member of - HB 308
State roads, name in memory of state troopers killed in the line of duty - SB 18
U.S. Customs Service special agent, peace officer powers for - SB 59
Voluntary law enforcement career development training - HB 154

Pollution

Fee funds, use of solid waste collection and reduction and litter abatement - HB 174
Hazardous waste assessment, continue past June 30, 2002 - HB 244
Merchant electric generating facilities, regulation of siting of - SB 257
Petroleum storage tank fund, fee structure - SB 193
Vehicle emissions tests to comply with national air standards, alternatives to, development of - HB 618
Waste tire fee, extended to 2006 - HB 422

Popular Names and Short Titles

Kentucky Manufactured Home, Mobile Home, and Recreational Vehicle Community Act of 2002 - HB 417

Poverty

Assistive devices, Cabinet for Health Services to develop network for the distribution of used - HJR 148
Cemetery care - HB 521

Dental services for the indigent, out-of-state practitioners, licensing requirements - SB 153

Probation and Parole

Notice to victim of parole consideration - HB 142
Parole Board, responsibilities of - SB 222

Property

\$15,000 personal property exemption in probate of estates - SB 262
Filing of statement of consideration for real estate - HB 270
Prescriptive easement - HB 387
Real estate broker liens, creation of - SB 170
Surface mining violation, access to abate - HB 809
Theft of identity and improperly obtaining financial information - HB 79

Property Valuation Administrators

Agricultural or horticultural land assessment - SB 179
Filing of statement of consideration for real estate - HB 270
Training - HB 120

Prosecutors

Detectives, county attorney to hire, authorization for - HB 52
Threatening or retaliating against - HB 571

Public Assistance

Revenue Cabinet memoranda of agreement with the Cabinet for Families & Children, collection for - SB 133

Public Buildings and Grounds

Assistance dogs, access to - SB 4
Potential for a farming museum, study requested of - HCR 10

Public Ethics

Local government codes of ethics - HB 357

Index

Public Health

Body piercing, written notarized parental consent for - HB 29
Controlled substances, real-time electronic monitoring, pilot study of - HB 26
Death certificate, cause of death, diabetes to be listed as - SB 113; HB 279
Dental services for the indigent, out-of-state practitioners, licensing requirements - SB 153
Emergency medical technicians, epinephrine administration by - SB 196
Health departments, nurses dispensing in - HB 67
Health services in schools, delegation, position established - HB 126
HIV/AIDS Advisory Council, increase membership of - SB 130
Kentucky Birth Surveillance Registry, outpatient and laboratory records submitted to - SB 219
Long-term care facilities, immunization requirements for - HB 69
Urban-county health department, ad valorem tax for - HB 464

Public Medical Assistance

Adult day health care services, requirement for - HB 26
Pervasive developmental disorder services, Medicaid waiver, require application - HB 455
Cabinet for Health Services, assistive devices, network for the distribution of used - HJR 148
Long-term care facilities, immunization requirements for - HB 69
Medicaid, copayments, requirements for - HB 283
health care provider, medical records maintained by - SB 91
pharmacy and therapeutics committee, creation of - HB 103
Pharmacy program, copayment limits for - HB 283
Prescription drug coverage for seniors, study of - SCR 185
Study on prescription dispensing fees, report required - HB 170

Public Officers and Employees

Correctional employee career retention program - HB 184
EMS personnel, residency requirement - SB 125
Fee office administration, continue to operate as if over 70,000 when population drops below - SB 112

General Assembly members, resignation from office - HB 801
Mayor, term of office for reelection purposes, clarification of - HB 297
Nonelected officers, salaries for - HB 729
Overtime pay, authorize compensatory time in lieu of for county employees - HB 596
Place of employment, notary may be appointed from - HB 87
Public Service Commission commissioners, full-time employment as - SB 116
Real estate appraisers, board of licensure, executive director, qualifications - SB 234
State employees, authorization of paid leave for volunteers of American Red Cross - SB 14
Theft of identity and improperly obtaining financial information - HB 79
Voluntary telecommunications career development training - HB 154
Wardens of state penitentiaries, prisoner release, parties notified - HB 93

Public Records and Reports

Agriculture water quality plans and related documents, grant confidentiality to - HB 367
Capital projects, quarterly reporting of - HB 599
Fee office administration, continue to operate as if over 70,000 when population drops below - SB 112
Lost and missing persons, search for - HB 381
Omnibus revision, correctional matters - HB 86
Place of employment, notary may be appointed from - HB 87

Public Salaries

Correctional employee career retention program - HB 184
KLEFP fund, State Police included in - HB 415

Public Utilities

Merchant electric generating facilities, regulation of siting of - SB 257
Monthly estimates and warrants for payment, repeal of - HB 650
Municipal utilities, Interconnection agreements with - SB 176
Public Service Commission commissioners, full-time employment as - SB 116
Telecommunications Devices for the Deaf, funding mechanism for - HB 416

Index

Public Works

Monthly estimates and warrants for payment, repeal of - HB 650

Purchasing

Kentucky-grown perishables, requirement for - SB 13
Local governments, small purchase limit - HB 736
Municipal utilities, Interconnection agreements with - SB 176

Race Relations

School districts, review of personnel policies - SB 166

Railroads

Lexington/Big Sandy Rail Trail task force, creation of - SCR 92

Real Estate

Appraisers, board of licensure, executive director, qualifications - SB 234
Broker liens, creation of - SB 170
Consent requirement to enter private property, field trials, competitions, and training exempted - HB 671
Filing of statement of consideration for real estate - HB 270
Prescriptive easement - HB 387

Redistricting

State representative and senatorial districts, statewide plans - HB 1

Reorganization

Cabinet
for Families and Children, Executive Orders 2001-610 and 2001-640 - HB 84
for Workforce Development, Executive Order 2001-1250 - HB 343
Department
for Local Government, Executive Order 2001-609, confirmation - HB 390
of Corrections, Personnel Division - SB 149
of Military Affairs, Executive Order 2001-1411 - HB 320

Development Disabilities Council, Executive Order 2001-1173 - SB 131
Finance and Administration Cabinet, Executive Order 2001-794 - HB 109
HIV and AIDS Advisory Council, Executive Order 2001-542 - SB 130
Kentucky
Department of Education, reorganization of Executive Order 2001-975 - SB 147
Early Intervention System, transfer of, Executive Order 2001-1322 - HB 196
Labor Cabinet, Executive Order 2001-1294 - HB 488
Medicaid Services, Executive Order 2001-1217 - HB 421
Medicaid, pharmacy and therapeutics committee, creation of - HB 103
Mine Safety Review Commission, Executive Order 2001-860 - HB 631

Retirement and Pensions

Judicial excess benefit plan established, limitation on purchase, transfer deleted - HB 590
Kentucky
Retirement Systems, hazardous members' air time - HB 427
Retirement Systems, omnibus update - HB 309
Teachers' Retirement System, omnibus revisions - HB 637
Legislators' and judges' retirement, death benefit for disabled child - HB 622
Police and fire, urban-county government - SB 184
Senior Status Special Judge pilot project, extension to January 31, 2009 - SB 271
State systems, survivor benefits, death in the line of duty - HB 438

Safety

Amusement rides and attractions, permitting and inspection of - HB 473
Department of Military Affairs, preparedness and response to terrorism - HB 258
Justice Cabinet, notification to petitioner of domestic violence order that respondent attempted to - SB 89
Mines and Minerals Department, technical changes - HB 792

Sales

Telephone solicitation, regulation and definition of - HB 47

Index

Science and Technology

Controlled substances, real-time electronic monitoring, pilot study of – HB 26
Designation of the Louisville Science Center as the State Science Center of Kentucky - HB 749
Omnibus revisions related to the new economy initiatives - HB 525
Tobacco Health and Research Institute, reorganization of - SB 86

Secretary of State

Place of employment, notary may be appointed from - HB 87

Securities

Investments of trust funds, authorized - HB 358

Sewer Systems

Joint agencies, uniform rates, exemption - HB 739

Sheriffs

Concealed weapons, authorization to carry - HB 97
Fees, increase - HB 175
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
Kentucky
Law Enforcement Council, membership - SB 156
Law Enforcement Foundation Program Fund, sheriff participation - HB 156
Law enforcement employee, residence requirement - SB 141
Monthly expense advancements, increase - HB 218
Office administration, continue to operate as if over 70,000 when population drops below - SB 112
Officer certification and training - HB 157
Prisoner release, parties notified - HB 93
Sheriffs, and employment contracts for deputy sheriffs - SB 100

Small Business

Body piercing, written notarized parental consent for - HB 29
Commission on Small business Advocacy, membership increase - HB 810

Special Districts

Emergency services personnel, employment protections - HB 388
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
Foreign trade zones, personal property tax exemptions - HB 715
Joint sewer agencies, uniform rates, exemption - HB 739
Loss of life benefit from volunteer firefighters - HB 519
Monthly estimates and warrants for payment, repeal of - HB 650
Special district budgets and descriptive information, filing time for - HB 344
Thermal vision grant program, volunteer firefighters, eligibility - HB 293

State Agencies

Administrative regulations, ratify findings of legislative committees - HB 728
Agency to manage interscholastic athletics, scheduling of the high school basketball tournaments - HB 593
Agriculture
Department - HB 470
Department, grain storage - HB 389
Board of Architecture, administrative powers and disciplinary sanctions, expansion of - SB 230
Cabinet
for Families and Children, adopted and foster children, tuition waiver requirements - HB 202
for Health Services, assistive devices, network for the distribution of used - HJR 148
for Health Services, HIV, funding of - SCR 76
Capital projects, quarterly reporting of - HB 599
Corporations, duties with regard to - SB 121
Correctional employee career retention program - HB 184
Council on Postsecondary Education, include private college member - HB 191
Criminal background checks - HB 595
Department
for Juvenile Justice, foster children, tuition waiver requirements - HB 202
for Local Government, tax base coordination process - HB 314
of Agriculture, changes in organization - HB 399
of Education, implementation of recommendations on economic education - HJR 25
of Juvenile Justice, responsibilities of - HB 144
of Military Affairs, preparedness and response to terrorism - HB 258

Index

- of Military Affairs, update of plaque honoring POW/MIAs - HB 583
 - of Public Advocacy, duties of - HB 487
 - Disaster relief fund, study creation of - HCR 132
 - Employees, paid leave for volunteer work with American Red Cross - SB 14
 - Health departments, nurses dispensing in - HB 67
 - Juvenile detention and education programs - HB 145
 - Kentucky
 - Board of Education to promulgate administrative regulations - HB 402
 - board of EMS, omnibus revision - HB 469
 - Higher Education Assistance Authority, Kentucky Higher Education Student Loan Corporation - HB 505
 - Law Enforcement Foundation Program Fund, sheriff participation - HB 156
 - Teachers' Retirement System - HB 637
 - Kentucky-grown perishables, state purchase of, requirement for - SB 13
 - Law enforcement employee, residence requirement - SB 141
 - Legislative Claims Bill - HB 707
 - Lewis and Clark Bicentennial Commission, establishment of - SB 229; HB 737
 - Lost and missing persons, search for - HB 381
 - Medicaid, health care provider, medical records maintained by - SB 91
 - Military heritage sites and objects, preservation of - HB 62
 - Mines and Minerals Department, technical changes - HB 792
 - Office of Women's Physical and Mental Health, grants and bequests to be accepted by - HB 327
 - Officer certification and training - HB 157
 - Omnibus revision, correctional matters - HB 86
 - Parole Board, responsibilities of - SB 222
 - Personnel
 - Board, administrative changes - HB 648
 - Cabinet, outside legal services authorized - HB 589
 - Pine Mountain Trail State Park, establishment of, land use, ownership and lease - HB 556
 - Postsecondary education, prepaid tuition program - HB 386
 - Public Service Commission commissioners, full-time employment as - SB 116
 - Revenue
 - Cabinet collection of support obligations, agreement with - SB 133
 - Cabinet, audit of insurance premium surcharge - SB 187
 - School nurse consultant, Education and Public Health, shared position - HB 126
 - Sexual Assault Response Team Advisory Committee, creation of - HB 308
 - State
 - buildings, guaranteed energy savings performance contracting - SB 61
 - facilities database and effective planning procedures - HB 286
 - fire marshal, campus safety - HB 829
 - Strategic plans, requirement of - SB 239
 - Surface Mining and Reclamation Department, violation - HB 809
 - Transportation
 - Cabinet, "Lynn Dawson Bridge," designate in Logan County - SJR 42
 - Cabinet, designate "Veterans Memorial Highway," US 421 in Clay County - HJR 77
 - Cabinet, designating US 23 in Letcher County the "Robert M. Collins Highway" - SJR 24
 - Cabinet, direct to name "Earl Johnson Memorial Bridge" - SJR 109
 - Cabinet, naming of "Hays Bridge" in Breathitt County - SJR 16
 - Cabinet, naming of Frank Ramsey, Jr. Drive - HJR 5
 - Uniform commercial code, government debt issuance exempted from - HB 649
 - Voluntary
 - law enforcement career development training - HB 154
 - telecommunications career development training - HB 154
-
- State Employees**
-
- Authorized to volunteer with American Red Cross with paid leave - SB 14
 - Correctional employee career retention program - HB 184
 - General Assembly, constitutional officers, pay increase - HB 194
 - Health
 - insurance coverage, provisions regarding - HB 846
 - insurance, bidding areas - HB 821
 - insurance, mail order drug option - HB 369
 - Hearing aids and related services, health insurance coverage for - SB 152
 - Kentucky
 - Group Health Insurance Board, addition of members to - HB 163
 - Retirement Systems, hazardous members' air time - HB 427
 - Laid-off employee, probationary requirement deleted - HB 589
 - Personnel Board, administrative changes - HB 648

Index

Public Service Commission commissioners, full-time employment as - SB 116

Retirement,

Kentucky Retirement Systems, omnibus update - HB 309

survivor benefits, death in the line of duty - HB 438

Self-funded health insurance for state employees, study directed - SCR 34

State Symbols and Emblems

Designation of the Louisville Science Center as the State Science Center of Kentucky - HB 749

Latin motto, designation - HB 857

State flag, code of etiquette - SB 267

Stephen Foster Story, official outdoor musical - HB 340

Studies Directed

Competitiveness of Kentucky coal, factors affecting - HCR 244

Controlled substances, real-time electronic monitoring, pilot study of - HB 26

Country Music Highway Park, feasibility, Transportation and Tourism Cabinets - HJR 92

Disaster relief fund, study creation of - HCR 132

Education Professional Standards Board, teacher assessments - SB 192

Individual development accounts - SJR 153

Kentucky Watershed Task Force, creation - SCR 17

Lexington/Big Sandy Rail Trail task force, creation of - SCR 92

Paddlefish, public waters, feasibility of - HJR 210

Potential for a farming museum, study requested of - HCR 10

Prescription drug coverage for seniors - SCR 185

Self-funded health insurance for state employees, study directed - SCR 34

Self-insuring state employees, feasibility of - HB 846

Task Force on Funding for Wildlife Conservation - HCR 125

Tax policy, effect of on forest management - HCR 13

Teacher and principal internship programs - HB 402

Transportation Cabinet, transportation needs at Lake Cumberland - HJR 122

Substance Abuse

Controlled substances, real-time electronic monitoring, pilot study of - HB 26

Taxation

Bank franchise tax, update Internal Revenue Code reference date - HB 531

Dyed diesel fuel, Revenue Cabinet's tracking procedures, clarification - HB 662

Effect of on forest management, study directed - HCR 13

Income tax, Internal Revenue Code reference date - HB 457

Loaner or rental vehicles, alternative tax for - HB 325

Mobile telecommunications, taxation of - HB 634

Motor fuel tax, dealer credit when used for agriculture - HB 43

vehicle property tax assessment, owner as of January 1, clarification - HB 812

National Guard and Reserves called to active duty, extension for filing Kentucky income taxes - SB 178

Omitted property, interest on - HB 448

Omnibus revisions related to the new economy initiatives - HB 525

Property

tax, delinquent taxes - SB 138

tax, state rate on real property, exclusion of new property for compensating rate - HB 243

Tax amnesty program - HB 614

Transient room tax - HB 679

Taxation, Income--Corporate

Certified public accountants, authority to act as agent for corporation income tax registration - HB 273

Health insurance vouchers, deduction for - HB 280

Internal Revenue Code reference date update - HB 457

Tax amnesty program - HB 614

Taxation, Income--Individual

Health insurance vouchers, deduction for - HB 280

Internal Revenue Code reference date update - HB 457

Revenue Cabinet collection of support obligations, authority for - SB 133

Tax amnesty program - HB 614

Index

Taxation, Property

Agricultural or horticultural land assessment - SB 179
Delinquent taxes, exclusion of add-on fees - SB 138
Fire protection dues or fees added to tax bill when levied, lien for nonpayment - HB 483
Foreign trade zones, personal property tax exemptions - HB 715
Motor vehicle assessments, owner as of January 1, clarification - HB 812
Omitted, interest on - HB 448
Property valuation administrators, training for - HB 120
Real property, exclusion of new property for compensating state rate - HB 243
Unmined minerals, method of assessment for tax - HB 243
Urban-county health department, ad valorem tax for - HB 464

Taxation, Sales and Use

Certified public accountants, authority to act as agents, applications - HB 273
Deer and elk farming, exemption - HB 517
Loaner or rental vehicles, alternative tax for - HB 325
Mobile telecommunications, taxation of - HB 634
Tourism Development Act, tourism attraction, specific lodging facilities, inclusion of - HB 372

Taxation, Severance

Coal severance tax, certified public accountant, authority to make application for client - HB 273

Teachers

Compensation - HB 402
Education
Professional Standards Board, confirmation, Doris S. Barlow - HCR 55
Professional Standards Board, confirmation, M. Mark Wasicsko - HCR 52
Future Educators Clubs - HJR 188
Kentucky Housing Corporation benefits, teachers eligible for - SB 45
Medications and health care in schools, provision of - HB 126
Nonpublic schools, voluntary criminal background checks - HB 595

Retirement, survivor benefits, death in the line of duty - HB 438
School employees, assault upon - SB 80
Teacher
certification, conditional certificate - SB 192
responsibility reductions - HB 332
salary reductions - HB 332
Tribunals - SB 211

Technical Corrections

Reviser's Bill, 2002 Regular Session - HB 723

Television and Radio

Video voyeurism - HB 130

Tobacco

Tobacco
Health and Research Institute, reorganization of - SB 86
Task Force, reauthorization of - SCR 47

Tourism

Kentucky Historical Society, attachment to, membership change - SB 229
Lewis and Clark Bicentennial Commission, establishment of - SB 229; HB 737
Lexington/Big Sandy Rail Trail task force, creation of - SCR 92
Office of Agritourism, Agritourism Advisory Council, creation of - HB 654
Pine Mountain Trail State Park, establishment of, land use, ownership and lease - HB 556
Reauthorize TF on funding for Wildlife Conservation - HCR 125
Tourism Development Act, tourism attraction, specific lodging facilities, inclusion of - HB 372

Trade Practices and Retailing

Mail solicitation, use of indorsable checks - HB 688
Mechanics' and materialman's lien - HB 171
Telephone solicitation, regulation and definition of - HB 47

Traffic Safety

Commercial driver training schools, omnibus revision - HB 190

Index

Transportation

12th St Bridge, Kenton Co., Dr. Poweleit, renamed for - SJR 3
Application process for a driver's license or I.D. card, omnibus revision - HB 188
Boat accident reporting threshold and safe boating class - HB 453
Businesses eligible for a specific service highway sign, inclusion of shopping malls - SB 238
CDL applicants, background check required - HB 189
Child identification, create program for - HB 106
Commercial driver training schools, omnibus revision - HB 190
driver's license applicants, citizenship requirements and background checks - HB 189
Rename Connector road in Virgie, Ky., in honor of N. Clayton Little - SJR 23
DUI license revocation, ignition interlock device - HB 652
KY
1747, Jefferson Co., name a bridge in memory of Peyton Hoge III - HJR 9
693, Greenup Co., Sergeant Beverly "Verly" Miller, bridge named for - SJR 39
Military license plate, combination with personalized plate - SB 107
PTA license plate, creation - HB 254

Road sign, Pikeville, honoring Robert Damron - HJR 3
State roads, name in memory of state troopers killed in the line of duty - SB 18
Transportation needs at Lake Cumberland - HJR 122
U.S. 41 in Hopkins Co., name a segment in honor of Dr. Lee Trover Todd - HJR 4
Vehicles transporting to Fish & Wildlife event or camp, exempt from regulation as a motor carrier - HB 755

Treasurer

Trust and agency account, "organic certification fund," establishment of - HB 350

United States

Concurrent jurisdiction, federal prisons - HB 143
Foreign trade zones, personal property tax exemptions - HB 715
U.S. Customs Service special agent, peace officer powers for - SB 59

Universities and Colleges

Campus safety and fire prevention - HB 829
Council on Postsecondary Education, membership, confirmation, John R. Hall - HCR 56
Kentucky
educational excellence scholarship awards, children of military personnel, eligibility - HB 59
Teachers' Retirement System, omnibus revisions - HB 637
Nursing scholarship, foundation to provide - SB 289
Omnibus revisions related to the new economy initiatives - HB 525
Postsecondary education, prepaid tuition program - HB 386
State
colleges and universities, tuition waivers for dependents of veterans - HB 115
facilities database and effective planning procedures - HB 286
Tobacco Health and Research Institute, reorganization of - SB 86
Tuition, waiver for dependents of non-resident veterans married to Kentucky residents - HB 112
University of Kentucky, study on cleanup standards - SB 193

Urban Renewal

Redevelopment - HB 615

Veterans' Affairs

Burial
honor guard program for veteran's funerals, creation of - HB 231
honor guard trust fund, creation of - HB 231
Dependents
of non-resident veterans married to Kentucky residents, waiver of tuition - HB 112
of veterans, waiver of postsecondary tuition for - HB 115
Freedom tree, plaque honoring POW/MIAs - HB 583
Military
heritage sites and objects, preservation of - HB 62
license plate, combination with personalized plate - SB 107
National Guard and Reserves called to active duty, extension for filing Kentucky income taxes - SB 178

Index

Soldiers' and Sailors' Civil Relief Act, National Guard, applicable to - HB 720
World War II veterans, awarding of high school diplomas - HB 45

Veterinarians

Condition for licensure, student loan repayment status - HB 296

Wages and Hours

Overtime
pay, authorize compensatory time in lieu of for county employees - HB 596
pay, exempt employees who are employed as a seaman - HB 474

Waste Management

Fee funds, use of for solid waste collection and reduction and litter abatement - HB 174
Hazardous waste assessment, continue past June 30, 2002 - HB 244
Waste tire fee, extended to 2006 with provision for waste tire amnesty program - HB 422

Water Supply

Kentucky Watershed Task Force, creation - SCR 17
Monthly estimates and warrants for payment, repeal of - HB 650

Waterways and Dams

Agriculture water quality plans and related documents, grant confidentiality to - HB 367
Kentucky Watershed Task Force, creation - SCR 17

Wills, Trusts, and Estates

\$15,000 personal property exemption in probate of estates - SB 262
Filing of statement of consideration for real estate - HB 270
Investments of trust funds, authorized - HB 358

Witnesses

Children's advocacy centers, provide civil and criminal immunity for - HB 393

Women

Abandoned infants, placement and custody, parental rights - SB 55
Office of Women's Physical and Mental Health, grants and bequests to be accepted by - HB 327
School districts, review of personnel policies - SB 166

Workers' Compensation

Coal Workers' Pneumoconiosis (black lung) provisions, changes in - HB 348
Fire protection sprinkler contractors, liability insurance for - SB 117
Group self-insurance association method of reporting premium, waiver of 10 year ban on - HB 625
Reorganization, Labor Cabinet - HB 488